

# Braille Monitor



JUNE, 1980

VOICE OF THE NATIONAL FEDERATION OF THE BLIND



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# THE BRAILLE MONITOR

PUBLICATION OF THE  
NATIONAL FEDERATION OF THE BLIND

JUNE 1980

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## THE BRAILLE MONITOR

PUBLISHED MONTHLY IN INKPRINT, BRAILLE, AND ON TALKING-BOOK DISCS BY  
THE NATIONAL FEDERATION OF THE BLIND

~ KENNETH JERNIGAN, *President*

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BALTIMORE, MARYLAND 21230

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SUBSCRIPTION REQUESTS, AND ORDERS FOR NFB LITERATURE,  
ARTICLES FOR THE MONITOR AND LETTERS TO THE EDITOR  
SHOULD BE SENT TO THE NATIONAL OFFICE

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BOX 11185  
KANSAS CITY, KANSAS 66111

~ \* ~

If you or a friend would like to remember the National Federation of the Blind in your will, you can do so by employing the following language:

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~ \* ~

THE NATIONAL FEDERATION OF THE BLIND IS NOT AN ORGANIZATION  
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### IMPORTANT NOTICE FROM THE PRESIDENT

Questions keep coming up concerning the financial obligations and reporting requirements of state affiliates and local chapters. Consequently, we will have a seminar at this year's convention in Minneapolis dealing with: "State Affiliates of the National Federation of the Blind, How to Build and Strengthen Them."

The seminar will take place at the Leamington Hotel beginning at 9:00 Saturday morning, June 28. Much of the morning will be taken up by discussions conducted by Mr. Owen D. Cudney, who is a Certified Public Accountant and a managing partner with the firm of Cudney, Ecord & McEnroe of Kansas City, Kansas. Mr. Cudney has prepared a detailed manual dealing with accounting procedures, IRS requirements, and state laws and regulations involving charitable solicitations. Each affiliate will be given a copy of this manual at the time of the seminar. Mr. Cudney will begin with a formal presentation and will then respond to questions from the audience.

We will probably recess at noon and start again at 1:30. We will likely conclude the seminar around 3:30.

Besides the topics already mentioned, we will discuss questions of general concern in the day to day operation of an affiliate: planning of state conventions, what to look for and what to avoid in negotiations with hotels, effective planning of programs for state conventions, relations between the state affiliate and local chapter, and anything else which those attending the seminar may wish to talk about. Each affiliate should have at least one representative present at this seminar.

However, the seminar must not drain off

the personnel who will be needed to do the unpacking of materials and preparation for registration the following day. Therefore, it will be necessary to ask those who have work responsibilities in connection with registration and other convention activities to forgo attendance at the seminar. The seminar sessions will be taped, and those who are unable to attend will be able to get cassettes of the proceedings.

As announced in the April MONITOR, one aspect of the Job Opportunities for the Blind Program is three Employee Preparation Seminars. The first seminar occurred April 12 in Boise, Idaho. The second seminar is scheduled for the Saturday following our National Convention (July 5) at the Leamington Hotel in Minneapolis, Minnesota. It will run from 9:00 a.m. to 12 noon and 1:30 to 4:00 p.m. JOB applicants and others interested in the employment of blind persons should make plans to attend. For further information about the seminar contact: JOB, 1800 Johnson Street, Baltimore, Maryland 21230 or call toll-free 800-638-7518. JOB is jointly sponsored by the U.S. Department of Labor and the National Federation of the Blind.

As you can see, we will be having two seminars at this year's convention—one on the Saturday before, and one on the Saturday following the regular business sessions. It will be the first time in our history that we have ever done this, but there seems no other way to handle it. The comments I have heard from around the country convince me that we have both of these seminars at the upcoming convention. Our conventions get more and more crowded and, I think, more and more informative and

productive each year. If you have not already made reservations to come to Minneapolis, please do so as soon as possible.

Write to: Leamington Hotel, 1014 Third Avenue, South, Minneapolis, Minnesota 55404. Phone (612) 370-1100.

## REPORT TO THE MEMBERS

by KENNETH JERNIGAN

As I write this, it is Easter Sunday—a warm day (the most beautiful we have had this spring). Often on weekends, when there are relatively few people here at the National Center (and, also, relatively few phone calls), I come to my office and write or do research or plan—or, sometimes, just think about things.

For instance, I am working with Jim Gashel these days as a sort of co-Editor of the MONITOR. It's fun, but it crowds a busy schedule even further. The last time—at least in an official way—that I had anything to do with editing the MONITOR (it was also the first time) was from September through December of 1960. We were in the midst of the Federation's civil war, and those were troubled times. After four months of my editorship, the MONITOR went out of business. (I hope it was the overall problems of the times and not my editing that did it.) Anyway we didn't start publication again until 1964. This time I have already been at it for more than four months, and there seems to be no indication that we are about to close shop; so I guess that shows progress.

In fact, we have made progress in many ways during the past twenty years. If you consider the Federation of 1960 and compare it with the Federation of 1980, the advancement is almost unbelievable. In 1960 we customarily had three or four hundred people at our annual convention banquets. We now have in the neighborhood of four times that many. Then, we

had no recorded issue of the MONITOR, no presidential releases on cassette, no seminars, no nationwide distribution of television and radio public service announcements, no Pre-Authorized Check plan, no members-at-large and Associates program, and no affiliates in several of the states.

Today what a difference! The MONITOR is the most influential publication in the field of work with the blind. Whether they admit it or not, our opponents know it as well as we do. Our public service spots cover the airwaves of the nation, and the presidential releases bind us together in a family of unity and a common bond of shared information and interest. We have our own National Headquarters building; and our Braille, print, and recorded materials go out by the hundreds of thousands each year. Our leadership seminars are strengthening our ties as nothing else could. Each year our MARCH ON WASHINGTON and our continuing NAC demonstrations bring hundreds of us together from throughout the nation to give testimony to our ongoing strength and commitment. What other group (either *of* or *for* the blind) could muster the numbers we bring together to carry out our projects? Everybody knows the answer: None.

Our newest undertaking (JOB—Job Opportunities for the Blind) is one of the most exciting activities we have ever launched. To our certain knowledge it has already resulted in jobs for more than half a dozen blind people—and this is only the begin-

ning. In fact, JOB is illustrative of why we have become (and continue to be) the most powerful force in the field of work with the blind. We are always starting new projects, finding new areas of endeavor, and exploring new frontiers. Whether it be the effort to reform the sheltered shops, the battle with the FAA, or promotion of new technology, we are always active and moving forward. This is what the Federation is all about.

Of course, this also means that we are always in the midst of problems. Problems are a necessary part of growth and advancement. The furious attacks which have been made on our movement during the past few years are the strongest possible proof of how far we have come and of the force we have exerted for change. Contemplation of our battles is not always pleasant, but it is certainly encouraging.

We have had the guts to tell the truth, regardless of the consequences; and we have had the strength and determination to translate that truth into tangible form. This is the reason for our phenomenal growth, and it is also the reason for the vigor of the opposition we continue to face. We are truly a people's movement, with all that that implies.

So, as I sit here in my office on a Sunday afternoon, I look forward with confidence to the future of our movement. A new generation is rising to the leadership, and I believe it will push forward to greater advancement than we have ever known.

I also look back to the past and think of the happenings of the years—to the late 1940's when I first joined the Federation; to my first meetings with Dr. tenBroek; to my first national convention in 1952; to the spurt of growth in the mid 50's; to the Federation's civil war; to my twenty years in Iowa; and to the new beginnings here in Baltimore. I think of former colleagues in

the Federation who are no longer with us. Particularly, I think of Dr. tenBroek, and I wonder how he would feel if he were here today and could see how we have handled the trust he gave us. In memory I can hear his voice today as clearly as when I last talked with him in 1968.

I believe that he would approve of our stewardship. It is always difficult to be objective about one's own actions, but I have tried with every ounce of my being (and so have many of you) to keep faith with the legacy he left us. I have done it regardless of the cost, and I intend to continue to do it. I only hope that my judgment and wisdom are sufficient to the task.

Mrs. tenBroek, as she said at our 1979 convention banquet, also believes that Dr. tenBroek would approve—that he would have led the action against the Acosta-Am-meter group, that he would have spoken out against the FAA and the sheltered shop exploitations, and that he would have been in the vanguard of all of the other things we have done. This is a comfort—especially, when the going is rough and the attacks are particularly vicious. I have often talked with Mrs. tenBroek, and we both feel that Dr. tenBroek would be exceedingly proud of what we have accomplished as a movement and of the stands we have taken. I believe that his spirit goes with us in our continuing march to freedom and equality.

As I sit here in my office, I also think of other former colleagues—those who have defected or sold out or found some other reason to leave the movement. By their actions they have hurt us all—themselves, those who continue faithful to the movement, and the children of the next generation. No conceivable grievance (whether real or imagined) can justify their desertion from the ranks. What excuse can they have for discontinuing their PAC plans, creating dissension or otherwise putting the move-

ment down? If they do not like the national president or the national administration, let them work in the normal democratic fashion to remove the people they oppose from office. But let them not attack the movement and refuse to give it support, and then try to justify their actions by rationalization. Not only is this bad logic but it is also bad morality.

I look back over the twenty years I spent in Iowa and wonder whether I made the right choice in the people I selected to carry on the programs and keep the trust. The Iowa Commission for the Blind has not merely belonged to the blind of Iowa but to the blind of the entire nation—indeed, the world. It has been uniquely ours—a symbol and a proving ground. It has embodied Federation spirit and philosophy and has helped improve all programs for the blind.

Under the circumstances it was, of course, inevitable that our agency opponents would concentrate their fire on Iowa and try to discredit what we were doing. The *Des Moines Register* (in its arrogance and overblown sense of importance) was not, as it seemed to think, the moving force in the drama. It was simply a pawn in a larger battle. It was too parochial even to know that the battle existed. It was also inevitable that some of the Iowans would buckle under the pressure and intimidation. How could it be otherwise.

But Federationism (the will of the blind to be free) is too deeply planted in Iowa soil to be crushed or uprooted. It will continue to flourish and grow, regardless of the attacks upon it. All of this was obvious even before I left Iowa. The only thing that troubles me is whether I chose the best people available to lead in carrying on the battle and minimizing the casualties. It was no secret that I could pick my successor as head of the Iowa Commission for the Blind, nor was it a secret that whoever was

picked would endure trials and difficulties. I did pick my successor.

The Iowa program had reached its maturity and accomplished its principal purpose, but it was necessary that it not slide back or cease to be a model of excellence. A failure of nerve on the part of the people I left in charge would not be fatal (we are now too far advanced for that), but it would be costly and disruptive. It would be exploited by our American Foundation-NAC-ACB opponents, and it would mean diminished services and opportunities for the blind of Iowa. As I observe the actions that are being taken by the ones I left in positions of trust in Iowa, I trouble as to whether I gave certain of them tasks beyond their strength to accomplish. At the same time I ask myself what alternatives I had, and whether others could have done better—or, for that matter, as well. The temptations, pressures, intimidations, and rationalizations would have been difficult for any human being (regardless of how strong) to withstand. It has ever been thus in the front lines of battle, and for a number of years Iowa constituted those front lines. Such is no longer the case, and Iowa is no longer the front line of the battle; but the Iowa contribution can never be forgotten or diminished. And certainly Iowa will continue to be an important part of the ongoing struggle.

As perspectives broaden and immediacy recedes, the significance of the Iowa experience will loom larger and larger. What happened in Iowa (all of it—the accomplishments, the honors, the battles, the intimidations, the attacks by the *Des Moines Register*, the sell-outs and excuses by some who were trusted, and the courage and determination of those who remain true to the cause) will inevitably stand as a major milestone in the lives of blind people everywhere. The condition of the blind can

never again be as bad as it was. The hope can never be destroyed or the spirit crushed or the dream extinguished. We have all participated in the Iowa experience (regardless of where we live), and we are all different as a result.

Of course, as I sit here in my office thinking of the years and considering the gains and losses, I reflect upon many other things besides Iowa—on the vital role which California has played in the movement (and, for that matter, still plays), on the growing impact of the seminars and the seminar-ians, and on the maturity we are gaining as a cause and a people. I think with joy of those who have remained firm and true through the years—the people who have worked (very often without recognition) steadily and faithfully to advance the cause and give it vitality. There are also the new Federationists, who are coming in increasing numbers to join the movement. We are stronger than we have ever been, and we are only at the threshold.

So you see how I spend at least some of my Sunday afternoons. All in all I think we are in good shape and that we have more to be glad about than almost any other group I know. We have our philosophy and the strength of our organization, and our future will be what we make it—neither more nor less. What more can we ask!

As I look back over what I have written,

I am not sure whether it can more properly be called a report or a reminiscence or just a mental rambling. Whatever it is, it was something I wanted to say to you. I would like to conclude by giving you another of those poems of the type I gave you last Christmas. As I said then, sometimes I write poetry when the hours are long and sleep evades. Happy springtime to all of you. (By the time you get this it will probably be summer.) Here is the poem:

### SUNSET

Sunset came in the afternoon  
Scarcely missing the midday heat.  
"Odd," I said as I smiled to myself.  
"How very strange:  
Sunset here and day still left.  
There are dreams to dream,  
And plans to make—  
Work to do,  
And life to live."  
Only later did I understand,  
That I, not the sun, had failed to judge.  
As the curtain closed,  
I learned the truth I had always known:  
The dream was right,  
The plan complete.  
The work ahead was long since done,  
And still remained.  
Dawn and sunset,  
Came as one.

### RAMI RABBY COMMENTS ON SUBMINIMUM WAGES AND SHELTERED SHOPS

One of the favorite dodges of the NAC, American Foundation, American Council, Affiliated Leadership League combine is to try to defend their opposition to requiring sheltered shops to pay minimum wages to

the blind by saying that it is really in the best interest of the blind shop worker to be paid as little as possible. Crazy as this sounds, they seem to argue that the less the blind shop worker gets paid the better off

he or she is. They justify this by claiming that the shop worker will lose one or another federal benefit if his or her wages are too high. Apparently (according to their arguments) the shop worker who makes four dollars an hour is in terrible trouble. Two dollars makes the shop worker twice as well off and twice as happy. One dollar an hour doubles the joy of it all, and a nickel or a dime an hour apparently puts the worker straight into paradise. Presumably a penny an hour would be absolute heaven, and thirty or forty dollars an hour would be the ultimate agony and damnation. Probably fifty or above would bring death from paroxysms of agony.

This *Alice in Wonderland* kind of economic thinking would have the Rockefellers suffering misery because of their income while the unemployed would be rolling in wealth because of their poverty. Of course, this is not the first time that twisted logic has come from the so-called "professionals" in the field, nor is it the first time that many of the public and a few of the blind have swallowed it. As I remember, Harry Truman said in 1948 he got the idea that when his opponents said they favored the minimum wage, the lower the minimum the more they favored it. It often seems that the same thinking prevails in the field of work with the blind.

If subminimum wages are really so great, why don't all of the blind professionals in the field give up their high salaries and ask to be paid at fifty cents an hour?

Recently Rami Rabby had occasion to write to a blind New Yorker who had heard the agency propaganda and was troubled by it. Rami's letter seems worth reprinting. Not only does it give useful information but it also provides food for thought concerning the kind of propaganda which the blind are constantly fed. Rami wrote as follows:

Dear \_\_\_\_\_:

Sterling France tells me that you have recently entertained some doubts as to whether or not you should support A-9558 (sponsored by Assemblyman Michael Pesce) and its Senate equivalent, S-8056 (sponsored by Senator Franz Leichter), which would prohibit the payment of less than the minimum wage to blind sheltered workshop workers under the New York State Labor Law. It is my understanding that your anxiety concerning these bills stems from certain allegations that payment of the minimum wage to blind sheltered workshop workers would deprive many of these same workers of the social security benefits which they receive and, in addition, would bankrupt many of the sheltered workshops themselves. The purpose of this letter is to argue against such false and groundless allegations.

First, and perhaps most importantly, I would argue that, in our society, it should be the right of each individual to decide in what form and from what source he should be paid. For example, you would surely agree with me that when you, yourself, reach the normal retirement age, you will wish to retain for yourself the power to decide whether you should, in fact, retire to live on your social security benefits or whether you should continue to work and earn your income for a number of years. Blind workers in sheltered workshops should have the same decision-making prerogative; that is, it is *they* who should decide from what source (wages or government benefits) they should derive their income, and in what proportion. No sheltered workshop management should make that decision for them, particularly no management in a free society such as ours, and especially

not when the only parties which gain from the present sub-minimum arrangement are the sheltered workshop managements and the companies which farm business out to them. The blind worker himself certainly does not gain by this arrangement.

However, even though the moral justification behind A-9558 and S-8056 is impregnable, we need not rely on it alone. We can easily rebut allegations and claims of the agency managements on purely factual grounds.

At the present time, the government benefits for which sheltered workshop workers are potentially eligible are of two types:

1. Social Security Disability Insurance (SSDI) benefits, for which eligibility is based on a certain number of quarters previously accumulated in Social Security covered employment, and

2. Supplemental Security Income (SSI) benefits, for which eligibility is based on financial need.

Operationally, there is one major difference between these two programs. On the one hand, SSDI benefits are *abruptly* and *completely* cut off whenever the individual attains a certain earning level (currently \$5,000 a year or \$417 a month). On the other hand, SSI benefits are reduced on a *gradual* basis as the individual accumulates more and more earned income, in such a way that it is quite possible for an SSI beneficiary to be earning \$600 or \$700 a month and still be eligible for *some* SSI benefits.

First, let us take as an example a sheltered workshop worker who is receiving SSI benefits. As his earned income increases, his SSI benefits are gradually reduced but not by as much as his earnings increase. Thus as his earnings increase, his

total pie is greater. By earning the minimum hourly wage of \$3.10, he receives more of his pie in the form of wages, of course, and less of it in the form of SSI benefits.

All things being equal, would you rather earn your income or receive it in the mail from the Social Security Administration in Baltimore? I know what your answer would be! That answer would be no different for the blind sheltered workshop worker.

Now, let us take as an example a sheltered workshop worker who is receiving SSDI monthly benefits with the earned income limitation of \$417 per month. That same worker can work 173 hours a month (or 40 hours a week) for a wage of \$2.40 an hour and yet retain his SSDI benefits. Let us now suppose that A-9558 and S-8056 are enacted into law and that that worker must now be paid an hourly wage of \$3.10. If he continues to work 173 hours a month, he loses his SSDI benefits, or does he? What are his alternatives? I believe there are four alternatives:

1. More likely than not, the sheltered workshop worker in question is financially needy, in which case, upon losing his SSDI benefits, he would still be eligible for SSI payments which, as you will remember, are reduced on a gradual basis only as earned income rises.

2. He may increase his productivity (he now has the incentive to do it) and thus earn not only the minimum of \$3.10 an hour, but perhaps \$4.00, \$4.50 or \$5.00 an hour—enough, in fact, to cover the lost SSDI benefits—maybe enough to do more than cover the loss and go on to real income and meaningful wages. In this connection, I would suggest to you that, to the extent that the productivity of *some* blind sheltered workshop work-

ers is, in fact, low relative to that of their sighted counterparts in open industry (as rehabilitation agency managements allege), the primary reason for that shortfall is that most of them have never been *encouraged* to produce at superior levels, and that sheltered workshop managements have persisted in using outdated production methods, inefficient plant layout, and manually, rather than automatically, controlled tools and equipment.

3. The sheltered workshop worker may well decide to work 134 hours a month (or 31 hours a week) at \$3.10 an hour rather than 173 hours a month and retain his SSDI benefits that way. Again I would suggest to you that, in reality, very few sheltered workshops operate at a full 173 hours a month, and that 31 hours a week is a perfectly normal working schedule for many if not most of them.

4. For the shop worker who is truly non-productive (and some people fall into this category regardless of being blind or sighted) an increase in income to the minimum wage need not threaten continued eligibility for SSDI benefits, since that portion of an individual's income in a sheltered workshop (above earnings, which are related to productivity) is considered a "wage subsidy" and is not counted as "earned income" for purposes of Social Security. Thus, a blind employee may well receive increased income from the workshop (and many would as a result of this legislation) while not having this income count against him as "earnings" for purposes of SSDI. Wage subsidies are a common practice in sheltered workshops, and as long as a portion of a worker's income is subsidized there is no adverse effect on con-

tinued eligibility for Social Security benefits.

Now let us examine the claim that A-9558 and S-8056 would bankrupt many of the sheltered workshops. As you know, in a rehabilitation agency, as in any other enterprise, the cost of wages is a normal cost of doing business, just as is the cost of electricity, the cost of telephone communications, the cost of food served in the agency's cafeteria, and the cost of the Executive Director's salary, which has been established as equitable by the Board of Directors. Yet, have we ever heard workshop managements cry bankruptcy whenever the power company, the telephone company, the food wholesaler, or their own agency's Board of Directors has raised the cost to that agency of conducting its normal service and business activities? Indeed, we have not! How is it that we only hear such cries when the issue of the minimum wage for the blind workshop workers is raised? Please think long and hard about this question.

And think, too, about *this* question: The federal Fair Labor Standards Act and the New York State Labor Law do not give sheltered workshop managements a *completely* free hand with the pay of their blind workers. Under the law, blind workers in sheltered workshops may be paid less than the statutory minimum wage, but in most cases (except for "work activity centers") *no less* than 50% of that statutory minimum wage.

Therefore, since the statutory minimum wage is now pegged at \$3.10 an hour, no production worker in a sheltered workshop for the blind can legally be paid less than the floor of \$1.55 an hour. However, that has not always been the floor. As the statutory minimum

wage has steadily risen over the years from the original 25 cents an hour to the \$3.10 an hour of today, so, inexorably, has the 50% floor for the sheltered workshop worker. Yet, have we ever heard the sheltered workshop managements cry bankruptcy whenever that floor has been adjusted upward? No, we have not. They have quietly internalized every one of those increases into their operation as a normal added cost of administering their agencies. Why, then, the outcry over this particular statutory increase as proposed in A-9558 and S-8056?

And finally, what of the claim by the sheltered workshop managements that if they were obliged to pay the minimum wage they would automatically price themselves right out of the market and the contractors who now provide them with work would go elsewhere in search of subcontractors? The claim is nothing short of laughable. As you know, every wage survey today provides irrevocable evidence that the minimum wage of assembly workers in industry is not \$3.10 an hour but at least \$4.00 or \$5.00 an hour. The workshops still have a long way to go before their fear of pricing themselves out of the market can be justified.

It is my firm belief that many of the corporate giants which are now subcontracting work to sheltered workshops are simply unaware of the flagrant injustice that is visited upon the blind workers in those workshops and that, if they *were* made aware of it, they would never acquiesce in it. I simply cannot imagine that a company such as IBM, with its historic human resources philosophy and its almost maternal care for the well-being (financial and otherwise) of its own employees would automatically discard that philosophy and that spirit the

moment it subcontracted work to a sheltered workshop. Furthermore, even if (and I think this claim has been greatly overexaggerated) blind workers were less productive than their sighted counterparts, there are offsetting advantages which more than compensate for their difficulty. Sheltered shops do not pay taxes. Private industry does, and the money involved is a major factor in the total picture. Sheltered shops get direct and indirect subsidies from government, and governmental agencies are required by law to purchase many of their products. Almost all of the sheltered shops receive charitable donations and bequests. Yet, they talk of going broke if they are required to pay the relatively small amount involved in bringing their employees up to the minimum wage.

As the law now stands, the sheltered shop has little incentive to be efficient in its management or concerned about the wages and working conditions of its employees. It very often overloads its staff with social workers and other "professional" employees with functions unrelated to manufacturing or production. It spends lavishly on offices and furnishings, conferences and conventions, and similar items. It is top heavy with highly paid executives, and it does not place emphasis on economy and streamlining.

This has been a long letter; nevertheless, I hope you have seen fit to read it thoroughly and carefully and ponder long and hard over its meaning. Passage and enactment of A-9558 and S-8056 is not only morally sound but it is also economically sensible and psychologically motivating from the viewpoint of the blind workers. To the managements of some sheltered workshops, A-9558 and S-8056 will pose a management problem initially. Let them wrestle with it a little

and find a management solution. The Labor Law has, all too long, given sheltered workshop managers a free ride at

the expense of their blind workers. Surely the free ride should now be brought to an end.

### LEGISLATIVE EFFORTS IN THE 96TH CONGRESS: THE MARCH ON WASHINGTON

by JAMES CASHEL

The books are not yet closed on the 96th Congress, but its legacy (if it can be said to have one) will hardly be a matter of speculation. The primary agenda—energy and the economy—has been set from the beginning. Then, too, it is an election year Congress which, above all else, seems compelled to respond to a rising tide of fiscal conservatism, with the often repeated outcry: cut the federal budget.

The battle for the time and attention (not to mention the understanding) of our lawmakers is always one of challenge. There are simply so many competing interests, that, if anything the scrambling has become more furious. But this fact alone underscores the need for all of us to be informed on legislative matters and to carry the Federation's message to those in the Congress who serve as our elected representatives. A lot of the work can and must be done in our home communities as members of the House and the Senate meet with groups of constituents to learn what the folks back home would like to have them do or not do, but on occasion it does these lawmakers good to see that we too can get to Washington to discover, firsthand, what really goes on there. Thus, the "March on Washington" (as we have often termed these frequent gatherings of the blind in the Nation's Capitol) has become an increasingly significant part of our regular Federation work.

The March this year occurred in early

spring, just as the Congress was settling in to get serious about tackling the 1981 federal budget and only a week before the Carter Administration was scheduled to announce its second and revised federal spending proposals. Speculation and rumor (Washington's most favored pastime) had reached a peak; it was truly an exciting time to be around the capitol. It would not overstate things at all to say that we were actually part of the whole scene which began to unfold as the pace of Congressional activity intensified in response to the evermore gloomy forecasts for the strength of our national economy. Somehow it seemed that everyone had come to Washington.

In numbers we were up to strength, approximately 150 in all, including a busload from Pennsylvania, and in the spirit of commitment to the cause, no one, not even those in town left over from a rally opposing draft registration, could possibly have been our equal. The work began March 23rd at a Sunday evening "briefing" (a nearly four hour session at that) where the plans for the following three days were made. Dr. Jernigan called us to order; it almost seemed like a national convention. He sketched in broad outline the plans for the three days ahead and emphasized the importance of the contacts we would be making. We also got a full report on a variety of other matters, showing the continued progress and vitality of our movement. There was an especially enthusiastic re-

sponse when Dr. Jernigan spoke of recent developments in the Federation's Job Opportunities for the Blind (JOB) project and urged each of us to work with local radio stations so that word of JOB would be spread by playing recorded public service announcements which had already been mailed from the National Center in Baltimore.

Speaking of the National Center, Dr. Jernigan invited all who attended the March to come and visit, telling those who had already done so that there would be new things to see. For one thing, the JOB project has already brought with it some necessary expansion in office space. Then, there is also the computer—yes, it seems that it happens to everyone, the price of growth and progress. But computerizing many of our routine functions should help to achieve maximum efficiency from a very small national staff, while at the same time there will be an opportunity to produce rapidly some of our materials and documents in Braille by means of a special output terminal. Tours of the Center were arranged, and many took advantage of the chance to visit the Federation's national office.

Turning to the issues for the March, we found the agenda as full as ever. There was our current legislation related to minimum wage and civil rights, but this being the time when the Congress begins to work on appropriations for federal agencies, we also had some concerns about financing certain programs which are set up to provide services to the blind. Then there was that old standard, NAC, not much in recent times a matter for Congressional concern (NAC's federal funding having been terminated five years ago); the NACsters are back again knocking on Uncle Sam's door, trying every trick imaginable to get back on the federal dole. All things considered, we

had a great deal of work ahead. The following is a status report on principal legislative issues, and elsewhere we will reprint several fact sheets which can be of help to Federationists everywhere when discussing our major concerns.

## MINIMUM WAGE

Earlier in the 96th Congress the Honorable Phillip Burton of California introduced the latest in a series of bills designed to guarantee all blind and visually-impaired workers the statutory federal minimum wage which is established by the Fair Labor Standards Act of 1938. The bill (HR 3764) was referred to the Education and Labor Committee in the House of Representatives and then to the sub-committee on Labor Standards, where all legislation related to minimum wage originates. The Chairman of that sub-committee is the Honorable Edward P. Beard of Rhode Island.

Developments on minimum wage (although not of the more dramatic type) continue to unfold. There is, of course, the ongoing interest of the *Wall Street Journal* as indicated by the article reprinted in the March, 79 issue of the *Monitor* and brief follow-up reports which have since appeared in the *Journal*. Also, late last year it was announced that the General Accounting Office (the Congress' chief investigative arm, sometimes referred to ominously as "GAO") would conduct a major investigation of the sheltered workshop system, with particular reference to the charges of illegally low wages. That investigation by GAO is now in full swing, and a report is expected shortly. At the same time, the sub-committee on Labor Standards has announced that it will hold hearings on HR 3764 along with an overall review of wage payment practices by sheltered workshops. Meanwhile at the Department of

Labor our rule-making petition on minimum wage for blind shopworkers is still being considered, with an official decision expected at any time. What more can one say, the process grinds along, and we continue to press for justice and a decent living wage. This we must keep doing.

## CIVIL RIGHTS

The effort to provide much needed legal protection for blind and handicapped workers who face employment related discrimination received a major boost in the 96th Congress with the introduction of a bill (S.446) by Senator Harrison Williams of New Jersey. The bill, bearing an impressive list of co-sponsors, was referred to the Senate Committee on Labor and Human Resources, chaired by Senator Williams, and on August 1st it was ordered favorably reported by a vote of 12 to 1. But S.446 has been pending on the Senate calendar since mid-September as sharp differences have emerged on matters related to "reasonable accommodation," among other things.

On the one hand there are those who advocate a straightforward requirement, balancing "reasonable accommodation" off against the potential for hardship to employers (the approach which has been taken by the Department of Labor in enforcement of Section 503 of the Rehabilitation Act of 1973 and the Department of Health, Education and Welfare with respect to Section 504), but on the other side of the question, it has been argued by leading conservatives in the Senate that dollar limits should be placed on what types of accommodations might be considered reasonable. S.446, as reported from the Senate Committee, takes the more flexible approach which is what we in the Federation have favored as well. Now, as might be expected, the Budget Committee in the Senate has

become involved and the chances for passage of S.446 are threatened by technicalities and behind the scenes maneuvering by Senators who do not want to see the bill come up for a vote on the Senate floor. Despite this, our efforts must continue to secure consideration of S.446 by the full Senate, and meanwhile to begin the process in the House of Representatives by asking for hearings on similar legislation which has also been introduced.

## APPROPRIATIONS

Annually, in the spring, the President submits his budget to the Congress and the process of appropriating money to operate the various federal agencies and programs begins. Of course, it should not be necessary to point out that the results of decisions on appropriations will be seen in terms of service, or lack thereof, depending on precisely how the money is finally distributed. Pursuant to NFB resolution 79-09, we have pressed forward this spring to secure appropriations for new programs to serve the blind which were added to the Rehabilitation Act in 1978.

These programs, Reading Services for the Blind (authorized under Section 314 of the Rehabilitation Act) and Independent Living Services to assist especially older blind persons (authorized by Title VII of the Act), represent important new initiatives which, as yet, remain only paper promises, since in the two fiscal years since the 1978 amendments to the Rehabilitation Act, no money has been requested by the Administration and none has been appropriated by the Congress. Yet each of these sections of the law has great potential in terms of filling in the service gaps which now too frequently exist. Reading Services, for example, can be provided to blind persons in employment, where sometimes

the intensive reading demands of entry level positions are more than can reasonably be met by personal funds or employer accommodations. Independent Living Services for older blind persons are also essential and have the potential of reaching a major segment of the blind population. But nothing can happen without dollars; hence we need to be heard from this year as the federal pie is cut.

## NAC

For an eight year period beginning in 1967, the National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC) received substantial sums of federal money to carry on what purported to be accreditation of agencies in schools for the blind. But, as the time went by, NAC fell so much into controversy that even the federal government found itself embarrassed and beat a hasty retreat. That was five years ago, but things have a way of coming back. Now the NACsters have returned to try once more to get in to the federal trough, opening up with a campaign of letter writing to reinstate the former annual grants.

Of course, this new move by those in the NAC, AFB, ACB, ALL combine must not go unchallenged—NAC and what it represents is as harmful as ever, or even more so if that could be possible. There is simply no justification for federal dollars to feed the unscrupulous shenanigans of NAC. Too often it is easy for the federal government to pump millions into programs which are unknown, and we, the taxpayers, will pay the bill without a whimper, but this is certainly not the case with NAC—its ways are known; its failures are documented—let us continue to see that the word is spread throughout the land.

These were the more compelling and

immediate issues which we raised during the 1980 March on Washington, but of equal concern, we took the occasion to alert several Senators and Representatives to an effort quietly under way by the National Governors' Association to undermine certain of the Human Services Programs, targeting for special attention the vending facility program for the blind authorized by the federal Randolph-Sheppard Act and certain specific requirements of the Rehabilitation Act of 1973. It is perhaps understandable that the Governors would like to alter the arrangement for federal assistance to Human Services Programs by assigning total administrative control to the States while providing federal funds through a very general "block-grant" system. In this connection, the Randolph-Sheppard Program has been objected to by the Governors' Association on the basis that it requires a State to provide a particular and specialized type of service to a small number of individuals under a somewhat rigid administrative arrangement, whereby all States are required to insure "uniform administration" of a federally sponsored program. While it would not yet be proper to sound the alarm and put out the call to mount the barricades to beat back the Governors on this issue, there is certainly cause for vigilance and the necessity to be informed.

By any standard of measurement this year's March was a great success. The specific results, in terms of legislative accomplishment, are rarely, if ever, clear from a single event. Working on legislation is always a continuous process. While, of course, we did receive strong commitments from several prominent legislative leaders, inevitably it is necessary for us to continue these contacts to insure that they are translated into positive legislative action. There is no question about it that our periodic

journeys to Washington bring forth meaningful results in terms of increasing the amount of attention which our elected representatives are willing to give to the issues that concern the blind most. Thus, our strong and collective voice must continue to be heard in the halls of the Congress as well as elsewhere in the land. The blind will speak for themselves; we do not need the agencies to speak for us. Let NAC, the AFB, the ACB, and ALL try as they will to diminish our progress and divide our forces. Try as they might they can actually do little to hold us back, for year after year we put forward a positive program which is built upon the issues that really matter in the lives of blind persons. This is what our Federation movement is all about, and we will never be deterred from our objectives. In his speeches Dr. Jernigan has often said, "The future is ours," but he has added that it will not be handed to us on a silver platter. Commitment, hard work, and drudgery—these are the ingredients of our progress, but we have them all, and we are prepared to March in Washington or wherever we must.

### **SCHEDULE OF ACTIVITIES**

As already mentioned, we started gathering Sunday, March 23. We headquartered at the Executive House Hotel, and for the next three days the telephones hummed, and the Federationists came and went in a constant procession. Much of the coordination in the headquarters suite at the Executive House (answering phones, relaying messages, planning work assignments, and generally keeping things moving) was done under the direction of Sandy Kelly and Judy Sanders. Throughout each day a steady stream of reports came in from those visiting Congressmen and Senators,

and changes in plans and assignments were relayed back. Each night the whole group met to exchange information and prepare for the next day's work. Sandwiched in between were the daily excursions of van loads of Federationists to Baltimore to visit the National Headquarters. It was a time of furious activity, excitement, accomplishment, teamwork, harmony, and satisfaction. It was undoubtedly our most successful "March on Washington." Already we are planning for next year's event.

### **FACT SHEETS ON ISSUES BEFORE THE 96th CONGRESS**

The Fact Sheets reprinted here set forth our positions on issues now before the Congress. They should be used and circulated broadly. Ink print copies can be obtained by contacting the National Office. Bear in mind that this is a campaign year—all candidates should be called upon to respond to these issues, for herein lies the answer to the question just what is it that the blind really want? These are the fact sheets we gave to the Congressmen and Senators as we went from office to office during the "March."

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#### **FACT SHEET**

##### **MINIMUM WAGE FOR THE BLIND**

*H.R. 3764-PURPOSE:* To extend to blind and visually-impaired citizens the coverage of the minimum wage and overtime pay provisions of the Fair Labor Standards Act (FLSA).

*LEGISLATIVE HISTORY:* H.R. 3764 (a bill to amend the Fair Labor Standards

Act of 1938 to provide that blind persons may not be employed at less than the applicable minimum wage under that Act) has been introduced by the Honorable Philip Burton of California. An identical bill was first introduced in the 95th Congress, and hearings were held by the subcommittee on Labor Standards of the House Committee on Education and Labor. These hearings sparked a serious reassessment of present law which continues to the present.

Responding to the proposed legislation the Honorable F. Ray Marshall, Secretary of Labor, expressed a certain degree of support when he addressed the annual convention of the National Federation of the Blind in mid-1978, and subsequently the Department of Labor has initiated administrative rule-making and conducted public hearings.

Concurrently the General Accounting Office (GAO) is conducting a large-scale review of the so-called sheltered workshops which receive the principal advantage of subminimum wages, and more hearings are scheduled by the subcommittee on Labor Standards in the House.

**PRESENT LAW AND REGULATIONS:** Section 14(c) of the FLSA permits subminimum wage payments to handicapped workers and authorizes the Secretary of Labor to promulgate regulations and to establish certification procedures under which subminimum wages may be paid. Any employer, (including a sheltered workshop) may pay handicapped employees subminimum wages after submitting for approval by the Department of Labor a request for an exemption.

Labor Department regulations allow the subminimum wages to go as low as 25% of the statutory minimum wage. Exemption certificates are issued to set the subminimum pay rate applicable to the work force

of a sheltered workshop, but individual certificates (providing for even lower rates of pay) may be secured.

**BACKGROUND DATA:** A study released by the U.S. Department of Labor in March, 1979, reported that there were 6,196 "visually-impaired" workers in more than 100 sheltered workshops. There are an estimated 900 blind employees in competitive industry receiving subminimum wages, but exact data is not available. Exemption certificates show that many workers earn less than \$1 an hour—and some get only carfare—without fringe benefits or job security. Half of the blind workers were paid less than \$1,500 according to the 1979 Labor Department report. Administrators of the workshops, by contrast, often receive salaries in the \$50,000 range, with substantial benefits.

One hundred sheltered workshops for the blind are part of a nationwide system known as National Industries for the Blind (NIB). NIB (a private organization) allocates federal government and other contracts to the workshops and receives in return a percentage (ranging from 4% to 10%) of the gross sales on those contracts. It employs approximately 60 people nationally (reportedly none of whom are blind, many being former military executives who receive substantial retirement pensions) with annual expenditures of two million dollars for salaries and other expenses.

**REASONS TO ADOPT:** Blind people, no less than other citizens, should be entitled to at least the minimum wage. The justification which has been used for paying blind workers subminimum wages is the presumption that productivity is lower among the blind than other workers, but the facts are to the contrary. Almost all blind people who work in private industry are paid the minimum wage or above, and approxi-

mately 20 sheltered workshops for the blind guarantee their blind employees at least the minimum wage. The question should be asked, why can't the other shops do so as well?

Inefficient management, substandard equipment, and poor production methods are at the heart of the problem. The blind should no longer be forced to suffer the injustice of subminimum wages in order to subsidize inefficiency and substandard conditions; the best way to improve the workshops for the blind is to require them to pay workers at least the minimum wage.

Blind workers are productive. During FY 1979, the 5,350 blind people who worked in the NIB system generated \$127,267,416 in gross sales. But these blind workers were not paid an equitable amount in comparison to their productivity—salaries and fringe benefits amounted to \$24,143,756 or 18.9% of the gross sales. In competitive employment it is customary for salaries and fringe benefits paid to production workers to be in the range of 23.4%–28% of gross sales or even more.

The workshops argue that they cannot increase the wages of the blind but there are plenty of facts which do not support their assertion. For example, the IRS report for the year ended June 30, 1977, filed by the Cincinnati Association for the Blind shows an operating margin for that year of \$450,000. During the same period, the Chicago Lighthouse for the Blind sheltered workshop had approximately \$200,000 of revenue over operating expenses, and officials have admitted that the 200 blind employees received total salaries of \$461,000 while 20 or 30 sighted hourly and administrative employees received \$494,000.

It is contended that the removal of subminimum wages for the blind will be harmful since blind persons who receive higher wages will lose Supplemental Security In-

come (SSI) and Social Security Disability Insurance (SSDI) benefits. This is not necessarily the case. The SSI eligibility rules for the blind permit earnings well above the minimum wage before benefits are suspended or even reduced. The SSDI rules are somewhat more restrictive, but any blind person is permitted to earn \$5,000 during 1980 before SSDI benefits are terminated, and this rate is higher than the average wage which workers receive in the NIB system. Most importantly, the decision to earn one's daily bread is a matter of individual choice, and no employer should be permitted to limit a worker's earnings simply because the employee has access to other income. The blind have decided that it is better to earn a living than to live off of the earnings of others, and this decision should command the respect of all.

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#### FACT SHEET EMPLOYMENT DISCRIMINATION AGAINST THE BLIND

*S.446/H.R. 3345—PURPOSE:* To amend Title VII of the Civil Rights Act of 1964 to make it an unlawful employment practice to discriminate against individuals who are physically handicapped because of such handicap.

*LEGISLATIVE HISTORY:* Although in previous sessions of the Congress some support has developed for legislation to prohibit employment discrimination against persons with handicapping conditions, major steps toward this objective have been taken during the 96th Congress. Especially significant is S.446, "the Equal Employment Opportunity for the Handicapped

Act of 1979," introduced by the Honorable Harrison Williams, chairman of the Committee on Labor and Human Resources, and cosponsored by 24 of his colleagues in the Senate. A similar (but not identical) bill, H.R. 3345, has been introduced in the House of Representatives by the Honorable John Moakley with 56 members of the House as cosponsors.

During the first session of the present Congress the Senate Committee on Labor and Human Resources conducted hearings on S.446 and favorably reported the bill on August 1, 1979; the legislation, however, has not yet received final action by the Senate.

**PRESENT LAW:** Discrimination against blind persons in employment is often poorly or not at all addressed by federal and State laws. While some legislation to prohibit employment discrimination does exist, the results so far have been a patchwork system containing diverse and sometimes conflicting policies and regulations. Employers are confused, and so are the blind who seek opportunities.

The first laws (commonly known as "White Cane Laws") came at the State level, and these are ordinarily based on a model developed by the National Federation of the Blind more than a decade ago. The next advancement occurred when several States passed laws concerning handicapped people along with the other minorities and women protected by civil rights statutes. In 1973 the Congress entered on the scene by including three provisions related to employment discrimination against handicapped persons in the Rehabilitation Act. These are Section 501 (requiring federal agencies to establish affirmative action programs for handicapped applicants and employees), Section 503 (committing most federal contractors to affirmative action on

behalf of handicapped applicants and employees), and Section 504 (prohibiting employment and other types of discrimination against handicapped persons by recipients of federal financial assistance and in federal programs). In 1978 the Congress took further action to strengthen these anti-discrimination laws by specifying that the rights and remedies under Title VI of the Civil Rights Act of 1964 would also be available to victims of discrimination prohibited by the Rehabilitation Act.

These federal and State laws are important but limited in scope and effectiveness, and so far enforcement has often been slow; nor is there a single agency in the government to oversee enforcement of these laws—the system is complex and bureaucratic. For example, the Office of Federal Contract Compliance Programs (OFCCP) in the U.S. Department of Labor (DOL) is responsible for enforcing the Affirmative Action requirements which cover federal contractors, while every other federal agency which extends federal financial assistance also maintains authority to enforce anti-discrimination regulations which cover employment practices of federally assisted programs and activities. This system is bewildering to persons having legitimate claims of employment discrimination—which federal agency has jurisdiction: that is the question. Furthermore, the thousands of employers who engage in interstate commerce but do not operate under federal contracts or receive federal grants are generally not covered by the current constellation of laws, thus there is no clear remedy available when discrimination occurs.

**BACKGROUND DATA:** Despite expenditures of nearly one billion dollars annually for the State/federal vocational rehabilitation program, most blind people

remain substantially unemployed or underemployed. Social Security data indicates that approximately 30,000 blind people have jobs which pay them gross wages in excess of \$417 per month, just enough not to receive Social Security Disability Insurance benefits. The problem is discrimination, not any general incapacity for work among the blind. Myths, misconceptions, and lack of accurate information about blindness caused this discrimination, leading employers to make typical statements such as the following: "I'd like to hire a blind person, I really would, but we have a factory here, and there's really nothing they can do—but you understand, I know how capable they are; I wish I could help." These phrases are the most common manifestations of the deep-seated prejudices, fears, and doubts about the ability of blind people to work productively; this is the essence of discrimination, coupled with kindness and charity.

**REASONS TO ADOPT:** Enactment of S.446 or substantially similar legislation is logically the next step in protecting blind and handicapped persons from the widespread employment discrimination which now occurs. The major benefit would be to eliminate gaps in coverage which now exists. For example Section 503 of the Rehabilitation Act extends to approximately 300,000 federal contractors and subcontractors, whereas more than 700,000 employers, operating in the private sector without federal contracts, remain substantially free from any obligation to avoid discrimination against blind and handicapped persons. Under current law, there is no generally applicable prohibition against employment discrimination on the basis of handicapping conditions. Title VII of the Civil Rights Act of 1964 prohibits employment discrimination on the basis of race, color, religion, sex, or national origin; but it provides no

protection for disabled workers. The blind as a group have long worked to gain the status of equality and to organize public assistance and rehabilitation programs which are directed toward offering a hand up to productive employment, not merely a handout along with meaningless exercise. The Congressional Budget Office has estimated that the cost of enacting S.446 would not be significant, with only a modest increase in expenditures of the Equal Employment Opportunity Commission (EEOC) for compliance enforcement activities.

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#### FACT SHEET APPROPRIATIONS PRIORITIES FOR SERVICES TO THE BLIND: FY 1981

**PROGRAM PRIORITIES:** Numerous federal programs have a direct impact on assistance to the blind—library services, vocational rehabilitation, education of the handicapped, older Americans programs, and Social Services, to name a few. Adequate appropriations are always a very real concern, and particularly so during FY 81, but two programs of direct service to thousands of blind persons stand out as requiring special attention during the current cycle of appropriations in the Congress.

These programs, authorized by public law 95-602 (an act which included amendments to the Rehabilitation Act), provide for expanding quality and scope of reading services available to blind persons in education and employment and for extending rehabilitation services to persons age 60 and over who require training and personal adjustment because of visual impairments.

Authorization for reading services for

the blind is contained in Section 314 of the Rehabilitation Act as amended. This Section was added as one of the 1978 Amendments, but in the two succeeding fiscal years funds have not been requested by the Administration or appropriated by the Congress.

Authorization for rehabilitation services for older blind persons is contained in Title VII of the Rehabilitation Act as amended. Part A of that Title provides for a comprehensive program of "Independent Living" services to assist persons who qualify as being handicapped, and Part C establishes a special initiative to meet the needs for training and adjustment which are most prevalent among older blind individuals. No funds have been requested by the Administration or appropriated by the Congress in the two fiscal years since enactment of Title VII. Part B (Centers for Independent Living), however, has received appropriations (\$15 million for FY 1980), but this program has little impact on the blind, being directed primarily to persons with mobility and other serious physical disabilities. Title VII has a \$200 million authorization for FY 81, but the Administration is requesting only \$18 million which would be limited to Part B.

**UNMET NEEDS: READING SERVICE FOR THE BLIND:** Federal law and policy has focused increasingly on the removal of barriers which impede the progress of handicapped citizens who seek full participation in society. The efforts to remove barriers have centered around architectural modifications to make the physical environment more accessible to the disabled. But the blind face another type of barrier which has often been overlooked—that barrier is access to print information contained in books, periodicals, memoranda, and personal correspondence. The problem is

simple; blind persons are not able to read documents published in print, so they must devise alternative methods for obtaining the information which sighted people can read for themselves.

Federally assisted programs to provide reading services to the blind are minimal. A National Library Service is administered by the Library of Congress, but less than 5% of the books which are published in ink print annually are in turn made available to the blind through this special program. Federal funds available to school districts under the Education for the Handicapped Act may be used to meet reading needs for blind youth, and vocational rehabilitation assistance provided by the Rehabilitation Act of 1973 may be used for reading services in connection with post-secondary education. There is no program to provide for continuing reading assistance to blind persons in employment, even though the out-of-pocket cost to an individual may be excessive, especially in entry level positions. The current arrangement for reading services is thus inadequate since there is stiff competition with other programs authorized under the Education for the Handicapped Act and the Rehabilitation Act. A coordinated approach is the answer.

**UNMET NEEDS: READING SERVICES FOR OLDER BLIND PERSONS:** Blindness is a common condition accompanying age. More than half of the blind population (approximately 240,000 of the estimated 475,000 legally blind persons) in the United States is over age 65. Diseases such as cataracts, glaucoma, and diabetes are prevalent among this group, and for many there is no cure; dependence on family members, friends, or custodial care is often the result. Assistance to the older blind amounts to income maintenance (Social Security or SSI), health services (Medicare

or Medicaid), and library services (recorded or Brailled books provided free from the Library of Congress Division for the Blind and Physically Handicapped). Programs such as social services, housing assistance for elderly and handicapped, and older Americans programs do not address the special problems of dependency (the loss of ability and the will to function normally) which confront older citizens. Rehabilitation services similar to those available to persons in their working years, can offer the personal adjustment assistance necessary for older blind persons to live independently and self-sufficiently with dignity and without continued cost for custodial care. Congressionally mandated studies have confirmed the need.

**REQUESTED APPROPRIATIONS—FY 81: READING SERVICES FOR THE BLIND—REHABILITATION ACT AS AMENDED, SECTION 314:** An appropriation of \$2 million is requested as first-year funding. This would be sufficient to assure minimum, start-up grants for each state and would result in improved reading services. The program envisioned in Section 314 is a much needed expansion of the authority which rehabilitation and educational agencies have had and should thus not require substantial outlays for planning. Both the knowledge and capacity exist to utilize these funds fully for direct service.

**REQUESTED APPROPRIATIONS—FY 81: REHABILITATION SERVICES FOR OLDER BLIND PERSONS—REHABILITATION ACT AS AMENDED, TITLE VII:** Taking into account the Administration's request for \$18 million to finance Part B of Title VII, an additional \$27 million is requested for Parts A and C bringing the total appropriation request to \$45 million. This is a reasonable yet modest

proposal, not even 1/4 of the amount authorized for Title VII. This appropriation should allow for allocating \$25 million to the States under the formula arrangement in Part A, with approximately 10% additional funding (\$2 million) to be distributed for services to the older blind as provided for under Part C. A distribution schedule for Part A, assuming a \$25 million appropriation is attached.

#### ATTACHMENT A

##### PART A—TITLE VII DISTRIBUTION SCHEDULE OF \$25 MILLION

If \$25 million were made available in FY '81 for "Part A" Independent Living Services by State Agencies (apart from separate resources for Parts B and C) the federal allocations by States and territories would be approximately<sup>1</sup> as follows<sup>2</sup>:

| STATE | FINAL<br>ALLOTMENT |
|-------|--------------------|
| TOTAL | \$25,000,000       |
| ALAB  | \$ 387,217         |
| ALAS  | 200,000            |
| ARIZ  | 243,589            |
| ARK   | 226,204            |
| CAL   | 2,306,955          |
| COLO  | 276,288            |
| CON*  | 320,580            |
| DEL*  | 200,000            |

\*States that have two agencies, general and blind

<sup>1</sup>Population data by states as of December 1976 used for this distribution calculation. The most recent population data would be used when distribution actually occurs.

<sup>2</sup>The source is a computer print out of 02/01/80 from RSA, prepared in response to a formal public request.

|      |             |
|------|-------------|
| DC   | 200,000     |
| FLA* | 889,295     |
| GA   | 526,085     |
| HAW  | 200,000     |
| IDA* | 200,000     |
| ILL  | 1,163,410   |
| IKN  | 556,094     |
| IOW* | 299,674     |
| KAN* | 242,968     |
| KY*  | 361,968     |
| LA   | 410,396     |
| ME   | 200,000     |
| MD   | 428,712     |
| MAS* | 597,486     |
| MIC* | 950,865     |
| MIN* | 414,742     |
| MIS* | 248,763     |
| MO*  | 502,906     |
| MON* | 200,000     |
| NEB* | 200,000     |
| NEV  | 200,000     |
| NH   | 200,000     |
| NJ*  | 758,188     |
| NM   | 200,000     |
| NY*  | 1,836,539   |
| NC*  | 577,100     |
| ND   | 200,000     |
| OHIO | \$1,112,292 |
| OKLA | 298,018     |
| ORE* | 252,902     |
| PA*  | 1,215,874   |
| RI*  | 200,000     |
| SC*  | 301,951     |
| SD   | 200,000     |
| TEN* | 450,856     |
| TEX* | 1,346,671   |
| UTA* | 200,000     |
| VT*  | 200,000     |
| VA*  | 532,708     |
| WAS* | 390,528     |
| WVA  | 200,000     |
| WISC | 484,177     |
| WYO  | 200,000     |
| AMER | 31,250      |
| GUAM | 31,250      |

|      |         |
|------|---------|
| NMAR | 31,250  |
| PR   | 331,649 |
| TTER | 31,250  |
| V.IS | 31,250  |

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#### NAC: FACTS AND FAILURES

NAC, The National Accreditation Council for Agencies Serving the Blind and Visually Handicapped (NAC), is a private non-official and non-governmental body which, during a period of eight years beginning in 1967, received approximately \$1 million in federal aid from the Rehabilitation Services Administration in the Department of Health, Education and Welfare. But federal funding was terminated five years ago after complaints from blind persons and members of Congress reached a crescendo and reports of the Appropriation Committee expressed concern that something be done.

Now NAC is coming back for renewal of its federal grants, having failed to sustain itself adequately through private sector funding. An actual campaign is underway to pry loose the federal money, disregarding the normal process for submitting proposals and having them judged on their merits. The blind oppose this maneuver and will not stand idly by while more of our tax dollars are wasted on NAC—the million dollars in failures over eight years is enough.

**BACKGROUND:** NAC is a successor agency to the Commission on Standards and Accreditation (COMSTAC) which in turn was the creation of the American Foundation for the Blind and certain other reactionary agencies. NAC was not created by the blind or by any organization of blind persons. The alleged purpose was to im-

prove assistance for the blind by means of standards and accreditation, and NAC's founders hoped one day to make their accreditation system a prerequisite for agencies applying for federal financial assistance.

Thus, NAC accreditation was conceived as the method for molding the future direction of services to the blind. All agencies—sheltered workshops, “lighthouses,” libraries, and State supported rehabilitation programs—were “encouraged” to conform to NAC's approach and in return they would receive the stamp of “accreditation.” But out of an estimated 500 eligible agencies, only 79 have pursued the accreditation process to the point of becoming “accredited members;” several have withdrawn, and most have stayed away altogether. NAC will not report which agencies or how many have failed to meet its standards.

**ISSUES:** (1) NAC is not responsive or responsible to the blind as an organized body. NAC believes that its primary constituency is the professional worker for the blind—not the blind themselves. NAC has maneuvered in every way possible to avoid procedures enabling the blind to select representatives to serve on its Board of Directors, and it has even rejected recommendations of its own committee which call for representation of the blind.

(2) NAC seems less concerned with the quality of rehabilitation or educational services than it is with physical plant, pleasantness of surroundings, etc. In the main, the blind have felt ill-served by accredited agencies and schools and some of these have adopted rehabilitation or education practices which are questionable both morally and legally.

(3) NAC has created a novel definition of “consumer of services to the blind,” arguing that even the general sighted public

is a “consumer of services to the blind,” since its members are potential blind people. With this approach NAC can argue that it has broad consumer input while it actually avoids opening its policy-making operations to the blind through their chosen representatives.

(4) NAC customarily accredits agencies and schools without giving meaningful weight to the views of the organized blind. NAC has argued that the clients are widely disbursed and that the cost of interviewing them would be prohibitive.

(5) NAC has tried to discredit the blind by claiming that “all major national organizations of and for the blind support NAC except the National Federation of the Blind.” This is not so, and the small number of agencies and schools applying for accreditation is ample testimony.

**FAILURE:** (1) NAC's standards do not reflect generally accepted concepts of quality rehabilitation. They offer no assurances to blind clients that an accredited program will be helpful to them.

(2) The nation's largest consumer organization of the blind, the National Federation of the Blind, (with 10% of the blind population—four or five times larger than any other blind consumer group) regards NAC as a harmful influence in the field, and believes its accreditation is achieved by sweetheart deals between agency administrators and NAC officials. The agencies seeking NAC accreditation in recent years have done so because public exposure of their substandard programs has made them feel the need for a “seal of approval.”

(3) NAC has not been able to develop an independent funding base in the private sector, relying instead on hefty annual infusions of capitol from the American Foundation for the Blind, a wealthy agency which created NAC, largely appointed the

Board of Directors, and has by now invested millions of dollars in keeping NAC afloat. Well over 50% of NAC's annual budget is derived from this one source.

(4) NAC and the American Foundation for the Blind have made attacks on the personal reputations and livelihoods of persons who criticize NAC. These attacks have been the cause of lawsuits against NAC and the AFB involving millions of dollars. When the National Council of State Agencies for the Blind (NCSAB) withdrew support for NAC, NAC officials spurred a takeover attempt that was turned back by court order.

(5) In 1975, the HEW Rehabilitation Services Administration stopped its grant funding of NAC, citing: "NAC's poor performance; Low acceptance of NAC accreditation by blind agencies; A low cost-benefit ratio." All of these reasons may be cited far more strongly now, particularly as NAC has begun devoting a major part of its budget to attacking its critics, or to quote a NAC official, to "dealing decisively with these hostile elements." More recently the Veterans Administration rejected a proposal that NAC be used to accredit VA blind rehabilitation centers.

(6) Agencies accredited by NAC have, according to court decisions, Labor Department and Social Security Administration investigations, violated state and federal laws in ways that worked hardships on blind clients in order to benefit administrators. In several of these cases, the agencies had directors on the NAC or AFB boards. NAC took no action to suspend the agencies' accreditation. Indeed, a NAC official has publicly conceded that adherence to its standards is not a precondition to accreditation.

(7) NAC has interfered in the internal affairs of agencies for the purpose of persuading them to seek accreditation. It has sought to coerce agencies reluctant to do so and conspired to punish those which resisted its pressures. Because there is little support for NAC in the field, and because it is having increasing difficulty gaining new agencies, NAC and the AFB now devote much of their efforts and funds to lobbying for laws and regulations requiring accreditation by NAC in order to receive State and federal funds.

(8) Nearly half of NAC's accredited members operate sheltered workshops, most of which pay blind workers far less than the federal minimum wage. Every workshop for the blind criticized in a recent series of articles in the *Wall Street Journal* is part of a NAC accredited program. A report by the New York State auditor has uncovered a scandal in the blind industries program in that State, and 7 of the 10 workshops which make up the industries system are also accredited members of NAC.

*NEED TO RESIST NAC NOW:* The campaign to secure renewed federal assistance for NAC has developed among the accredited members who apparently fear that their system of old-boy approval is on the rocks unless the federal government steps in to bail NAC out. There is obviously the hope that as federal rehabilitation programs are moved to the Department of Education, accreditation will become more popular and NAC's future will be secure. Once before, without a whimper of protest, NAC was approved for substantial government grants; this must never happen again. The record of failure has now been built. NAC does not help the blind—it harms us.



*During the March on Washington, Federationists met with Senator Jennings Randolph. From left to right: Sally Prentice of New Milford, Connecticut; Senator Jennings Randolph; Jacqueline Billey of Manchester, Connecticut.*

## MORE ABOUT THE WASHINGTON STATE COMMISSION FOR THE BLIND: KENNETH HOPKINS PERMITTED TO RESIGN

*(Editor's Note : As the Monitor goes to press, we have just learned that Kenneth Hopkins has been permitted to "resign" as director of the Washington State Commission for the Blind. The events surrounding the so-called "resignation" are detailed in a newspaper article which we have just received and which is reprinted later in this issue.)*

The following articles are reprinted from the *Seattle Post-Intelligencer* and are a continuation of the story of what is happening to Kenneth Hopkins and the Washington State Commission for the Blind. After long years of struggle to reform and improve Washington's poor programs for the blind, the Federation was able to bring about the establishment of a separate Commission for the Blind. Kenneth Hopkins was employed as director, and there seemed every reason to believe that a real partnership could be established between the blind of the state and the agency established to provide services to them.

However, Hopkins was apparently more interested in building personal power than in giving service or listening to the wishes of the blind. He systematically hired key leaders of the State Federation (including Sue Ammeter, the president) as part of his staff. Thus, he sought to gain total control of the lives of the blind of the state.

But the policy was shortsighted. It did not work. The blind of the state had fought too hard and sacrificed too much to permit their newly won promise of improved lives to be taken from them by the very agency they themselves had worked to establish. As the Hopkins-Ammeter faction tried to subvert the Federation's philosophy and principles, it became increasingly obvious that something had to be done. Last year the state affiliate was reorganized, and the blind of Washington are now engaged in

the hard task of rebuilding a strong affiliate and insisting that the agency be responsive to their needs.

The need for the reorganization has been pointed up by the exposes concerning the Washington Commission which have been carried by the press during the past few months.

Scott Lewis, the able and energetic president of the reorganized National Federation of the Blind of Washington, writes:

At first, we thought the newspaper stories about the Washington State Commission for the Blind would hurt the image of blind people in general, but we've taken the situation and turned it into a real bonus for the Federation in Washington.

The Commission problems simply focused the attention on blind people, and we were there to take advantage of it. The press now really wants the opinion of the Federation, and that's a good feeling.

Since November 1, there have been more than 40 articles in the Seattle newspapers about the Commission for the Blind, plus wire service stories in other newspapers. The result has been that now we are known. That's never been true of the Federation in Washington before.

If we want publicity now, all we need to do is ask. If we have a good story, as

we have had, it's no problem to get Page One. Radio and television news and public affairs are no different. We sent out releases to public affairs directors that talked about the problems we face with discrimination, subminimum wages and job opportunities, and I'm now booked up pretty solid for two weeks doing TV, radio, and feature stories.

There have been some people who aren't thrilled with the NFB's new emergence into media. They include staff of the Commission, Lighthouse, and the remnants of the previous Federation affiliate. Sandy Sanderson, president of the NFB of Alaska, and I were on an all-night radio telephone talk show. He'd come by on his way to the March on Washington. We were on the air answering calls and making friends for the Federation for four and three-quarter hours.

As a result of the publicity, blind persons who were members of the Federation ten years ago and left are coming

back, and new people are interested. We're helping vendors and other Commission clients with administrative reviews, and we're starting to rebuild with a lot of pride.

To build on the credibility that has been established through the media, the NFB of Washington has opened a small office in the heart of downtown Seattle. It is staffed by volunteers. It has made it possible for us to work closer with the governmental agencies, work with business, and show a lot of blind people that the Federation is something real—something they can join, be a part of—and something that can make a real difference. The NFB of Washington's never been able to do that before.

This letter from Scott Lewis is characteristic of the spirit and vitality of the NFB of Washington. The following articles from the *Seattle Post-Intelligencer* are reprinted with permission:

### BLIND VENDOR CONTROVERSY PROBE VOTED

From The SEATTLE POST-INTELLIGENCER, March 9, 1980

**RICHLAND (AP)**—The Washington state Commission for the Blind voted yesterday to hire a special investigator to probe the controversy between commission director Kenneth Hopkins and blind vendors.

Commission members said they were not satisfied with preliminary findings in a state audit of the commission's vending program.

"There have been rumors and allegations about wrongdoings and the purpose of hiring an investigator is not to throw someone to the wolves or to satisfy the press but rather to give us some answers," said commissioner Irving Smith of Colville.

Commission chairman Ken Elfbrandt of

Seattle said the panel reviewed the preliminary report by the state auditor but complained the report only touched the surface.

Elfbrandt said the commission wanted a deeper investigation into allegations reported by the news media.

He said the commission was particularly interested in allegations of possible misallocation and misuse of state equipment.

Elfbrandt said the commission believes a special investigator is needed because the offices of the attorney general and auditor did not have the manpower to make a thorough investigation.

The commission told Hopkins to prepare a personal services contract for the investi-

gator, but said the investigator will report to the commission, not to Hopkins.

"We would rather this motion be looked on as a positive step to clear the air rather than any lack of confidence in the director," said Elfbrandt.

The state Legislature also has expressed interest in the controversy between Hopkins

and vendors, who operate shops at various federal and state office buildings.

Many questions raised over the past three months need answering, said Frank Cuta, a commissioner from Richland.

Keith McMullin of Richland, a blind vendor, said vendors want to establish better communications with the commission.

## AUDITOR BLASTS BLIND AGENCY

by HILDA BRYANT

Copyright 1980, The *SEATTLE POST-INTELLIGENCER*, March 11, 1980

The state auditor yesterday made a sweeping indictment of the financial management of the State Commission for the Blind in a report that levels strong criticism at virtually every program of the troubled agency.

The audit details tens of thousands of dollars misspent or missing that were tied up in illegal and unnecessary contracts, improper loans, lost state equipment and chaotic accounting procedures.

Although the state audit spells out more than \$67,000 in blind aids, office and vending stand equipment known to have been purchased but now unaccounted for, the auditors have asked the state attorney general to sue for recovery of less than \$7,000.

Attorney General Slade Gorton said yesterday his staff will examine the audit and "see if we agree with the legal conclusions and if we do we will bring lawsuits to recover the losses."

Gorton said his office will also direct the Commission for the Blind to move its headquarters from Seattle to "the seat of government" in Olympia in compliance with the State Constitution.

The Blind Commission voted Saturday in a meeting in Richland to hire a special private investigator to fill in the holes they found in the state audit.

Bonnie Larson, Seattle commissioner

who was not at the Richland meeting, said yesterday she endorses the move.

"There are a number of things we want to learn more about and we want to get information we can depend on," she said. "We seem to have an aura of suspicion and paranoia and it is very debilitating to operate in a climate of distrust.

"We want to get enough information to make true and honest decisions so we have decided to take the bull by the horns."

The investigator to be hired by the commission will answer directly to the commissioners and will probe areas of controversy untouched by the extensive state financial audit, she said.

The state audit does not deal with charges made by commission employees of misuse of public funds in remodeling of blind vendor restaurants or with the inventory of the restaurant located in the Seattle Post Office Annex that was abandoned by the former supervisor of the Business Enterprises Program.

The audit was limited to an examination of financial records of the blind agency for a nine-month period from the autumn of 1977 through June of 1978.

Although the state auditors found plenty to criticize, they said they were unable to make a complete report because of missing

purchase orders, incomplete files, missing serial numbers, prices and dates on state-owned equipment.

The auditors concluded that inventory claims made by the commission for the Blind have been "erroneous and unreliable."

Among the findings described by auditors as "illegal, misleading, nonessential and improper Commission practices were staff entertainment paid for with public funds, employees hired through alleged illegal contracts, almost \$20,000 paid to Seattle University for staff training never provided by SU, and about \$96,000 paid to Seattle Central Community College for a Career Search program that didn't have to guarantee that it would enroll a single student.

That contract was canceled by Kenneth Hopkins, director of the Commission for the Blind, after *The Post-Intelligencer* published details of the program.

The auditors rapped the agency for failing to keep track of costly blind aids loaned to blind clients. In one case, 17 Optacons, an electronic reading device, purchased at a cost of \$50,215, had never been logged in the register of client equipment nor had state property tags been affixed to the machines.

In another case, \$3,520 worth of Optacons, and two Lazer Canes worth a total of almost \$6,000 weren't on the list of administrative equipment nor were they tagged as state equipment.

When the auditors came to the blind vendor programs they found the accounts in such disarray that it was impossible to

tell which client loans were still unpaid or how loans were used or what standards were applied in granting loans.

In one case the auditors found that an Internal Revenue Service charge of \$1,603.40 against a former blind vendor was paid from the Business Enterprises Program Fund.

In another case they found that the former BEP fund custodian (in August of 1976) wrote a check for \$238 from the BEP fund and deposited it in his bank account.

Hopkins responded to the audit by conceding most of the problems and concurring with the auditors' recommendations for dealing with them.

Most of the agency's contracts have been rewritten and are now properly filed with the state Office of Financial Management and a proper inventory of the state equipment controlled by the agency is being established, he said.

Fund controls and BEP accounting controls are inadequate, Hopkins conceded. He promised to take steps to recover financial losses and to develop proper accounting systems.

A management team from the state Office of Financial Management sent in at the request of the Legislative Budget Committee is working in the commission offices to straighten out the management chaos and develop adequate procedures.

Several federal agencies are still investigating the commission and the Legislative Budget Committee investigation continues.

### STILL OPERATING IN THE BLIND

*From The SEATTLE POST-INTELLIGENCER, March 16, 1980*

Any private firm conducted the way the State Commission for the Blind has been operating would have gone out of business or run afoul of tax collectors years ago.

An audit conducted by the state auditor and released this week shows that the financial affairs of the commission are in chaos. Tens of thousands of dollars cannot be

properly accounted for. Records have vanished. Loans have been made in an improper and illegal manner. Equipment is missing.

The report primarily surveys only the nine month period from September 1977 through June 1978. The auditors say that they can't make a complete report because of missing purchase orders, incomplete files and missing serial numbers, prices and dates on state-owned equipment.

The auditors concluded that inventory claims made by the commission have been "erroneous and unreliable."

The audit report is shocking, all the more so since the Blind Commission is not a private business. It is a state agency, directed by a commission, composed of five members, who are appointed by the governor.

The agency's director, Kenneth Hopkins, has headed the agency for the past five years. He answers to the five commissioners. That's the setup that has been running things for the past two years (the life of the commission). During that time, Hopkins has had the total, unswerving support of the commissioners.

This support has continued despite the commissioners' access to books which, according to the state audit, show a number of practices described as "illegal, misleading, nonessential and improper." These include staff entertainment, paid for with public funds; employees hired under illegal contracts; sums of money paid to local colleges for costly programs that served only a handful of students.

The list of problems that the auditors cite is lengthy. But distressing as the report is, it does not come as a surprise. Through a series of *Post-Intelligencer* stories and through testimony given to a legislative hearing last fall, the agency's shortcomings have become more and more apparent to the public.

The legislative hearings elicited testi-

mony from blind vendors whose livelihoods are tied to the agency. These folk are independent businessmen who operate concessions in public buildings throughout the state. They depend on the agency for assignment to these locations.

They've told the legislators of their frustrations with the agency meant to serve them. Almost to an individual they've complained of unfair treatment.

Following *The Post-Intelligencer's* stories, the financial audit of the agency was ordered. The legislators have ordered a performance audit. When that is completed, the investigation should resume.

Many questions require answers. The most obvious one is why the commissioners—two of them newly appointed—have failed to ask the director to step aside.

It is Hopkins who was in charge when the agency's bookkeeping lapsed into such chaos, when improper contracts were let, when thousands of dollars worth of equipment disappeared and when the illegal hires were made. It was during his tenure that the inventory and the records were scrambled.

Hopkins contends that he is now cleaning house. He has at his disposal a management unit from the state's Office of Financial Management. But things have reached such a state that it strains credulity that the man who presided over the creation of the wallow can dig it out of the mire.

Ultimately, the commissioners are charged with overseeing this operation. At their last meeting, they voted to hire a special private investigator. They apparently believe that's the way to fill in gaps in the state audit. Perhaps it is the only way that the commissioners ever will find out what has happened.

But in the meantime it would be a shame to keep the blind folks and the state waiting on yet another probe. More immediate

action is needed to dispel the climate of distrust that surrounds the agency.

The first and best step, we're convinced, would be for commissioners to ask or—if need be—to insist that Hopkins step aside

while questions are resolved. More than minor housekeeping is needed if the agency is going to remove the tarnish that stains it and get back to helping folks.

## OMBUDSMAN TOO TIED TO STATE BLIND AGENCY, SAYS AUDITOR

by HILDA BRYANT

From The *SEATTLE POST-INTELLIGENCER*, March 20, 1980

An auditor for the state Legislature has charged that an ombudsman program—intended to cut through obstacles in services to the blind—is rife with conflict of interest.

The troubleshooter agency was set up to aid blind people with complaints about services provided by the State Commission for the Blind. Although the Client Assistance Project cost the taxpayers over \$81,000 last year, it received few substantial complaints from the blind and has shepherded only two through the complaint procedure.

The performance auditor assigned by the Legislative Budget Committee to look into the problem-plagued commission, has reported that the ombudsman is too tied to the commission to handle complaints about the commission's services.

The ombudsman "could be expected to be intimidated when making any criticisms of the commission" because he was approved for the job by the Commission Director Kenneth Hopkins.

Hopkins also helped write the job description and pays the subsidy for the project to Lilac Blind Foundation of Spokane, prime contractor for the ombudsman unit.

In addition, Hopkins evaluates the performance of the ombudsman.

However, Berl Colley, Spokane-based director of the Client Assistance Project said yesterday he doesn't feel as though his hands are tied.

"I have not had the feeling that we are under the gun. Certainly the language is there (in the contract). But I feel quite comfortable in what we have done. We've had pretty good freedom, there have been no agency threats of reprisals," the ombudsman said.

Although many blind people have testified before legislative committees about problems with services, Colley said there has been no request from Washington clients for assistance through the ombudsman's appeal process. The two appeals that were conducted by the ombudsman were for Oregon residents. The Client Assistance Project was first designed to serve both states, but this year serves only Washington.

Asked whether the ombudsman's connection with the Commission for the Blind might explain why he has received no requests for appeals of services denied or inadequately rendered, Colley said it could be a problem.

"It's an obvious concern," he admitted. "It's true that we operate under a cloud. Both because of our connection to the Lilac Blind Foundation Center and the way the contract was written."

The ombudsman office is located in the Lilac Blind Foundation Center building in Spokane. The Lilac Foundation has come under fire for cooperating with Kenneth Hopkins to hire on the Lilac staff two persons who actually worked for Hopkins

in the Seattle offices of the Commission for the Blind.

The ruse was employed to get around the limitation on staff imposed on the blind commission by the Legislature and to avoid the state Civil Service regulations. State auditors sharply criticized Hopkins for the practice. He fired and later legally hired both persons.

"Mr. Jack Fisher is my boss. He is the manager of the contract. (Fisher is director of the Lilac Blind Foundation) I was employed by the Foundation and approved by Hopkins, I assume. The contract makes provision for that," Colley explained.

He argued that, since the Lilac Foundation is a private agency and he is under contract to it, the client assistance program is more independent than it would be as an in-house ombudsman.

But the president of the National Federation of the Blind, Washington state affiliate, has attacked the client assistance unit as nothing more than an "agency shop."

"It was a good idea that is a sham," declared Scott Lewis. "It became just another disaster operated by Ken Hopkins, and adds to the problems that plague his scandal-ridden agency."

Lewis has called for the removal of Hopkins from the directorship of the state blind agency. Lewis is blind.

The legislative performance auditor has also rapped the blind ombudsman unit for writing a personal service contract hiring a consultant for the State Commission for the Blind to set up the client assistance program.

The auditor charged that the contract has never been filed with the Office of Financial Management as required by law. State financial auditors had previously taken exception to virtually all contracts written by Hopkins because they were not filed with the state. Since the audit report was made public, Hopkins has rewritten them as fee-for-service contracts at a substantial saving to the blind agency.

The most severe criticisms of the performance of the State Commission for the Blind has come from the blind vendors of the state whose livelihood is tied to the commission, but the ombudsman doesn't serve blind vendors.

"We are authorized to assist only vocation rehabilitation clients and most of the blind vendors aren't in the VR process," said Colley.

### HOPKINS MUST GO "VOICE OF THE PEOPLE"

From The SEATTLE POST-INTELLIGENCER, March 20, 1980

The National Federation of the Blind's Washington state affiliate strongly commends the fine reporting and bold editorial stance provided by the *Post-Intelligencer*.

We believe that the fastest way to cure the State Blind Commission's ills would be the immediate removal of Kenneth N. Hopkins as director of this agency. He and

his civil service exempt appointees have bungled what at one time promised to be a model agency for the provision of services to the blind.

We believe that removal of Hopkins and his appointees would be fair to them and provide the opportunity for this state's blind persons to regain respect for and faith

in the Washington Commission for the Blind.

It is interesting to note that while the P-I provided leadership in exposing the corrupt commission, and while wire services provided the story to other state news-

papers, Seattle's other major newspaper has literally ignored the situation.

SCOTT H. LEWIS,  
Wash. State Affiliate  
National Federation for the Blind

## JEERS AND CHEERS TAKE AIM AT STATE COMMISSION FOR BLIND

by HILDA BRYANT

From The *SEATTLE POST-INTELLIGENCER*, March 23, 1980

A partisan crowd turned out with white canes and tape recorders yesterday to cheer and jeer the performance of the state Commission for the Blind in a public hearing at Bell Plaza auditorium.

Prime target of the testimony was the controversial director of the blind agency, Kenneth Hopkins. Hopkins' management of the trouble-plagued agency is under scrutiny by a battery of auditors.

The president of the state affiliate of the National Federation of the Blind, Scott Lewis, recited a litany of charges against Hopkins and called for his ouster.

But Glen Sterling, an employee of the state blind agency, warned that "if the commission sees fit to remove Hopkins, the agency will go down the drain. If Kenneth Hopkins is made the sacrificial goat, the price is going to be plenty high."

Sterling declared that his employer is the victim of a "concerted, orchestrated attack of two-bit allegations without a hell of a lot of basis."

Lewis had read a list of 19 questions challenging the competency and ethics of Hopkins' administration of the blind agency and told the five commissioners it is their responsibility to find satisfactory answers.

His charges against Hopkins' management ranged from writing illegal contracts and illegally hiring unauthorized employees to losing thousands of dollars worth of

state equipment and permitting chaotic accounting practices.

After his strongly critical testimony, several persons in the audience attacked the integrity of Lewis, but Commissioner Bonnie Larson cooled tempers by noting that despite differences in political affiliation of the two factions, the commission would not allow individuals to take potshots at each other in the hearing.

A 66-year-old blind man repeatedly sought to return the focus of the hearing to the legitimate educational and support needs of the blind.

"Kenneth Hopkins can handle himself," Dave Sharpham said. "He is a victim of his own poor choices in staff. He isn't on trial here."

"This meeting was called to discuss what we can do for the blind. We are spending too much time on the needs of the state's few blind vendors and not enough on the needs of blind children."

Caroline Brown, a member of the staff of Community Services for the Blind, told the commissioners she is concerned that virtually all the federal subsidies for the blind may be used to help only those clients who are enrolled in vocational rehabilitation programs.

She called for more state funds to assist those blind citizens who aren't being rehabilitated for a return to employment.

Brown also voiced alarm that the commissioners might decide to move Seattle-based blind counseling and orientation programs to Olympia, away from the largest concentration of blind clients and less accessible to medical facilities.

The commission chairman, Kenneth Elfbrandt, had announced that the commissioners are planning to move the main administration offices of the blind agency to "the seat of government" in Olympia, to comply with the state constitution.

The commissioners assured her that the Seattle rehabilitation center for the blind will not have to be closed down to satisfy state law.

George West, chairman of the state Committee of Blind Vendors, told the commissioners that "if blind vendors are considered malcontents, it's because our malcontent comes from inability to get answers from the state Commission for the Blind."

West, a blind vendor who operates a large cafeteria in the King County Administration building, said the commission uses spurious claims of confidentiality to keep from providing information about accounts of programs in the Business Enterprise arm of the agency.

West charged that the restaurant in downtown Seattle's federal post office annex, abandoned by blind vendor Xavier F. Timmer last December, is "being run like a Chinese fire drill." The location is up for bid but the blind agency director refuses to release any figures on the business and potential vendors won't bid on it "because we don't know if we'd be getting a pig in a poke," he said.

The agency has been operating the cafeteria since Timmer disappeared, after he was accused of misusing the location, misusing state funds and equipment, exploiting his association with the state's blind vendors for personal profit, and several other questionable activities.

West said mystery and silence surrounds the aftermath of the Timmer episode. West asked the commissioners, "Was the cafeteria in the post office annex used to launder money? Why can't we get any answers about that operation?"

The commissioners replied that they weren't there to provide answers, but to listen to blind clients and take under consideration their ideas about how the agency could better serve them.

## BLIND COMMISSION UNDER FIRE AGAIN

by HILDA BRYANT

From The *SEATTLE POST-INTELLIGENCER*, April 11, 1980

The scandal-wracked state Commission for the Blind is now under fire for spending public funds on private blind clients through a contract with a Spokane foundation.

Federal officials said the Spokane-based Lilac Blind Foundation has received more than \$300,000 in federal funds since late 1975, a sum which amounts to 73 percent of the agency's entire budget.

But only 22 percent of the blind persons served by Lilac were eligible for services paid for by taxpayers.

The feds have given the commission until May 1 to explain why Lilac has been spending the taxpayer's money on private clients.

If no convincing defense is provided, "We'll have to make a decision as to what restitution we'll require," said Richard Cor-

bridge, of the Region 10 office of the Department of Health, Education and Welfare.

Corbridge added, "Since the money is already spent, we'll probably have to get a rebate."

The blind clients are mostly the elderly with impaired vision who are not eligible under federal guidelines to receive vocational rehabilitation services, Corbridge said.

He said Lilac could apply for state monies as the state Library for the Blind did, or for Aging Division grants, or for the new Independent Living Rehabilitation funds for the blind to finance services to the elderly.

A spokesman for commission director Kenneth Hopkins said yesterday that the HEW review of Lilac failed to give enough consideration to the contributions made to that agency by the City of Spokane, the Spokane United Crusade and voluntary donations by citizen groups.

"Some of the money used for the elderly blind in Spokane is earmarked for them by local contributors and isn't federal dollars at all," said Jack Fischer, information officer for the commission.

Fischer said the city provides office space, utilities and some other benefits to the Lilac Foundation not figured into the cash budget of the agency.

Fischer and another middle management employee of the commission's Seattle office also figured in the HEW report on the Lilac Foundation contract.

Both are now employed under personal services contracts legally filed with the governor's Office of Financial Management. But they were fired by Hopkins last December following *Post-Intelligencer* articles reporting that the Lilac Foundation of Spokane had them on its payroll although

they live and work for the commission in Seattle.

This arrangement was described by state legislators investigating the commission as "an end run around state statutes" in order to avoid state Civil Service requirements and state budget restrictions on manpower for the agency.

Federal officials also cited this practice as a violation of federal regulations. Since the first of this year Fischer and Kathy Christiansen, manager of the commission training cafeteria, have been rehired under legal contracts.

The federal review of the Lilac Blind Foundation called for an explanation of a \$3,000 project to educate blind children in the state, another use of federal money for ineligible persons, according to commission invoices.

But Fischer said yesterday the \$3,000 was not federal money but came from the state Superintendent of Public Instruction's Office.

Fischer said demands by HEW that the commission show that contracted services are being paid for only after they have been rendered and not by cash advances should be satisfied by the language of the new fee-for-services contracts that were filed with the state at the first of this year.

"Certainly before May 1 we will show HEW officials that we aren't paying for any services that aren't being rendered," Fischer said.

The federal review criticized Lilac's blind counselors for permitting blind clients of the agency to "float" in the system rather than moving toward an objective of rehabilitation.

Fischer said the quality of service provided by Lilac counselors is a problem the agency will have to deal with.

The *Post-Intelligencer* failed to get a response to the federal report card on the

Lilac Foundation from its managers. Lilac director Al Fisher was out of the state and his assistant was on sick leave.

But HEW officials said they hold their prime contractor, the state Commission for the Blind, totally responsible for all shortcomings revealed in the federal report.

"The commission director really did not address the issues we raised in our January review in their response on March 21 so we have asked them to provide whatever new evidence they may have by May 1.

"At that time we will decide what action to take," said Corbridge.

## BLIND AGENCY CHIEF GRILLED

by HILDA BRYANT

From The *SEATTLE POST-INTELLIGENCER*, April 15, 1980

The five state commissioners for the blind held a closed-door session with Director Kenneth Hopkins last weekend and ordered him to defend his leadership of the scandal-racked agency.

Although the executive session was closed to the press, Commission Chairman Kenneth Elfbrandt, an Olympia attorney, said, "We discussed his job performance and aspects of the various audit reports we've received and told him to come back to us with a report."

Although Elfbrandt declined to reveal a specific deadline set for the director's response, he conceded that the commissioners expect written answers from Hopkins to their questions "very soon."

Elfbrandt, a blind attorney, was named by Gov. Dixy Lee Ray to replace Edward Foscue on the commission after Foscue was strongly criticized for concurrently running a program for blind students totally funded by the commission.

Elfbrandt said yesterday that the commissioners had completed public hearings for blind clients of the agency in six cities throughout the state and have in their hands several state and federal audits highly critical of the blind agency.

He said the commissioners also have federal review reports of agency contracts

and the report of management problems that came from a state Office of Financial Management review.

"We discussed these reports with Hopkins. We gave him some time to respond to the questions raised by these studies. We decided to take no further action until we get his response," Elfbrandt said.

But this week the commissioners will hire a private investigator to dig into allegations of improprieties of the blind agency.

"The auditors, both state and federal, didn't go into the depth on some issues that we felt was desirable," he explained.

He said the commission will write a personal services contract for one of four detectives who have indicated an interest in the investigation of missing state equipment and state funds, skyrocketing architectural fees and a variety of other unexplained improprieties.

Elfbrandt said the commissioners will also decide within the next two weeks whether to move the entire Seattle-based agency headquarters to Olympia to comply with state law, or leave part of it in Seattle and move just the directors and accountants to Olympia.

The State Constitution requires that all state agencies and commissions be headquartered in the state capital.

## STATE BLIND CHIEF QUILTS, BLASTS PRESS

by HILDA BRYANT

From The *SEATTLE POST-INTELLIGENCER*, April 22, 1980

Kenneth Hopkins, director of the State Commission for the Blind, resigned yesterday with a blast at the press for running him out of office with "harassment, allegations and innuendos."

Hopkins had been given one week to resign from the scandal-racked agency by the five state commissioners. Three of them were on hand in Seattle yesterday to accept his written promise to step down from the two-year-old commission by May 23.

The agency headed by Hopkins has been the subject of eight separate government audits, reviews and investigations, most of them triggered by disclosures, published by The *Post-Intelligencer*, of misspent federal funds, chaotic bookkeeping, illegal use of state property, missing state equipment and misuse of state power for private gain.

In his resignation Hopkins charged that he has been "tried and convicted by some parts of the press, but these unwarranted attacks on me have not resulted in charges, indictments or arrests because there is no truth to the allegations or innuendos." He said under his direction the program for the blind has expanded from the Puget Sound area statewide and the number of blind persons seeking services from the state has more than doubled.

The chairman of the state commission, Kenneth Elfbrandt, said of Hopkins' resignation, "Because of the climate at this time I feel his action will do the most for the commission. It is a difficult task to accept a resignation. He has put together a program which has helped many blind people."

The search for a successor to fill the \$35,500-a-year position will begin with a public meeting at 9:30 a.m. Saturday at the

commission's headquarters at 3411 S. Alaska St., Elfbrandt said.

The agency has been criticized by state legislators for its unusually high number of top management positions exempt from Civil Service. With the resignation of Hopkins, at least seven top agency jobs could be up for grabs.

Tacoma Democrat Wayne Ehlers, who heard a litany of complaints from the blind at a public airing of grievances held by the House Committee on State Government, said yesterday the commission needs a fresh start, and with Hopkins' resignation the commissioners can now hire a proper manager.

"It has been a question of proper management, not of personalities," the legislator said. "Now maybe the commission will give the direction the agency has needed. The commissioners need to take a much more assertive position and establish policy and make sure it is carried out."

One of the commissioners said yesterday he and his four peers were amateurs when the blind agency came under siege but they have come through the fire and now feel like professionals.

Luddy Martinson, school teacher in Chehalis, said, "We've learned a lot and we feel more competent about running the agency after going through this fire. You know, you hate it, but I think it is good for us and for the blind. I think a lot of this would never have occurred if we'd had this scrutiny earlier."

Martinson said "giving excuses" for the problems the agency has been plagued with for the past several years "doesn't help at all." He said he hopes the state legislators

now will "stop going after us and work with us. We need a lot of help from the state. They should recognize that we were a bunch of amateurs. But I don't think we are any more."

The Hopkins resignation was announced to the agency staff by commission chairman Elfbrandt yesterday afternoon. Although Hopkins was present, he added no comments to his written charge that the press harassed him.

Hopkins was unavailable yesterday for further comment.

Hopkins conceded he has "made some mistakes," but contended he had taken action to correct them.

Most of the corrections, however, were made after the deficiencies were disclosed by The P-I.

For example, he cancelled all agency contracts and rewrote them according to state law after The P-I reported that Hopkins had expanded the size of his staff illegally by using persons not on the state payroll.

Hopkins cancelled a career-search contract with Seattle Central Community College after The P-I disclosed that each blind client served was costing the taxpayers more than it would have cost to put the clients through college.

Hopkins also corrected a variety of management practices after the state Government Committee asked the governor to send in a top management team to clean up a tangle of agency financial practices.

The former supervisor of the state blind vendor's program, hired by Hopkins while the agency was still under the authority of the Department of Social and Health Services, was suspended by Hopkins after the supervisor abandoned his blind vendor cafeteria in the Federal Post Office Annex and fled the state.

The vendor, Xavier F. Timmer, left while under heavy fire for insuring a downtown Seattle club under a state liability policy intended for blind vendor locations only. The club later was closed by police as a front for prostitution.

Timmer had formed a private food catering firm with the approval of Hopkins, had stored his equipment free in state warehouses in an arrangement with Hopkins, had used his status as a blind vendor to obtain private deals for his company, and had made loans to himself of state money while he was the custodian of state funds, a P-I investigation found.

Timmer disappeared four months ago and is still missing. His post office cafeteria has been operated by the commission since he fled.

A special state audit made a sweeping indictment of Hopkins' financial management of the agency in a report that leveled strong criticism at virtually every program of the embattled agency. The audit detailed tens of thousands of dollars misspent or missing that were tied up in illegal and unnecessary contracts, improper loans, lost state equipment and inaccurate or missing accounts.

Joe Taller, R-Seattle, co-chairman of the State Government Committee, said yesterday that the state commissioners are "doing the proper thing and exercising their responsibility" after carefully evaluating the findings of all the state and federal audits.

"It is incumbent on them to get things straightened around at the Blind Commission," Taller said. "They are the only ones who can make the changes necessary. I just hope things get back on the track for the blind community."

His committee will review commission actions on April 30.

## **GWEN WILLIAMS—A DEDICATED FEDERATIONIST AND A FIGHTER FOR THE CAUSE**

by KENNETH JERNIGAN

Recently Steve Benson, the able president of the National Federation of the Blind of Illinois, sent me a letter, along with a check for \$500 from a large corporation. The contribution was secured through the efforts of Gwendolyn Williams, one of our Illinois members. She has neither received nor sought public recognition through the years, but she has worked and lived her Federationism on a daily basis.

The corporate president who sent the check said: "It is with pleasure that we are making this contribution of \$500 to your organization which indeed does worthwhile work.

"I became knowledgeable about the work of your organization through Miss Gwen Williams, who I think is a superb representative of your organization as well as a very unusual woman.

"Through our gift, we are not only helping the National Federation of the Blind, we are honoring Miss Williams' outstanding efforts."

Steve Benson wrote to me: "Gwendolyn Williams is ninety years old, but her spirit

and her devotion to the philosophy and work of the NFB have no measure in time. She has been, since 1968, one of our strongest and most loyal members. When we picketed the NAC meeting in November 1978, she was on the line with all the rest of us. She is, indeed, as close to being a front line soldier as anybody can be. The enclosed check is but one small indication of the work she does for us in Illinois and for the organization as a whole. She is a very special lady, a Federationist."

I add my tribute to those of Steve Benson and the corporate executive. As long as we have people like Gwen Williams (people who are willing to work day after day without special recognition, who will raise money for the organization, who will picket NAC, and who will give freely of their spirit and their devotion), the Federation will survive and prosper. Gwen, I salute you. The entire movement salutes you. We are stronger and better because you are one of us, and we will keep faith together as we work together toward the achievement of our ideals of true equality and first-class citizenship for the blind.

## **COMMENTS ON LIBRARY SERVICES FOR THE BLIND IN NEBRASKA**

by KENNETH JERNIGAN

Over the years library services for the blind in the state of Nebraska have been at times controversial and very often quite uneven in quality. A few years back, the Nebraska Library got itself involved in or-

ganizational politics concerning the blind and then got the National Library Service for the Blind embroiled as well. All around, it was a thoroughly unpleasant and messy situation.

The former Nebraska Librarian is now gone, and Mrs. Rodeane Green has taken her place. The change seems to have been a constructive one even though there are still problems to be solved and difficulties to be overcome. Until last year, for instance, the Nebraska Library distributed Braille, as well as Talking Books and tapes. Such is no longer the case.

What has happened with respect to the discontinuing of the distribution of Braille by the Nebraska Library (even though not directly and obviously related to the fact that Utah has a so-called "Multi-State Library Center for the Blind") illustrates the problems which are a spin-off from the concept of such Multi-State Centers. The Multi-State Library Centers tend to become the focal point for distribution of Braille to all of the neighboring states, and the quality of library services for the blind suffers accordingly. There is a natural tendency for everything to be swallowed up by the Multi-State Center and for the other states to diminish their services and slacken their efforts accordingly. This is not necessarily conscious or intentional. It simply tends to happen by inertia.

In any case Nebraska decided to stop giving Braille service and to rely on Utah. Laurie Eckery, State Secretary of the NFB of Nebraska, recently attended a seminar in Baltimore. Among other things, library services were discussed. She had already been troubled by some of the trends she had observed in the shift to Utah, so when she returned home, she wrote to Mrs. Green.

Laurie says that Mrs. Green is friendly and has attended state conventions of the Federation. She apparently wants to give good services. I thought MONITOR readers might like to see Laurie's letter to Mrs. Green since it is thought provoking and informational:

March 3, 1980

Dear Rodeane:

I have hesitated to write this letter, because I wanted to give the Utah Multi Center business a chance to do whatever it was going to do before I responded. You will probably remember that I was not in favor of the situation in the first place, but knowing we were possibly stuck with it, I was at least willing to give it a chance. I feel I have given it a chance, and something else has come to my attention, related to this matter, which has been the deciding factor in my writing this letter.

First of all, I want to mention the fact that my service from them has not been all that good—certainly not the kind of service you gave us. I have had problems either not getting any books at all, getting a bunch of them all at once, or occasionally receiving something which I did not order. However, the biggest problem I have had is with something simple like an address change. An incident occurred which I can understand might confuse things for a short time, but it has gotten beyond that.

Last fall, I was involved in a legal situation related to employment discrimination. The Post Office issued notes to me regarding certified mail. One day I received more notices, and, thinking I had an important certified letter, I wrote to the Post Office asking that the letter be sent to the Omaha District Office of Services for the Visually Impaired (my work address). This was done in accordance with instructions I had received from a postal official. When the "letter" came, I found that it was a library book. For some strange reason the postal people had decided not to leave parcels of any kind at my mailbox. I put a card on the book and had it sent home. When it was returned to Utah, I

imagine they looked at the old card with my home address (the old one) scratched out and my work address put on it. When Jerry and I moved, I sent them a letter with our new address and also mentioned specifically (since a few other books had come to my work address also) that they disregard any address but 5002 Burt, Omaha, NE 68132. Now today, I received my Talking Book Topics here at the office. I don't know where the mix-up occurred, but I was really surprised. I would suspect that Clovernook, which prints the Braille Book Review, was given my work address by the Utah Center. What a mess.

As for the news I have heard here in Nebraska which bothers me greatly, I am really upset and disappointed and really am not sure what can be done. When we were told of the possible transfer of our Braille books to the Utah Center I was told more than once that this was a trial project, with a contract of one year, and that if things didn't work out, we would have the choice of having our books here in Nebraska (where they really belong). I have heard now that our Braille collection has been farmed out to various places and that (this is what upsets me most) the cards on these books have been destroyed.<sup>1</sup> That sounds to me like a permanent situation in Utah. If the cards have been destroyed, this means of course, that it would be hard if not impossible to reclaim all those books. It sounds to me as if there was never any intention, one-year contract or not, of our keeping our Braille library here. I feel that we have been misinformed and that now that things are out of our state, we do not have as much control of our own books and what happens to them. You may remember this was one of my main concerns for opposing the transfer in the first place. I didn't realize then that I would be right in my concern, so soon.

I understand that as many borrowers as possible were sent the questionnaire that I received, informing us of the possible transfer, and asking our opinions on the matter. I also know from what you have said, and also from what I have gathered by talking to various blind people in the state, that most people agreed that the transfer would be okay. I also must remind you, however, that most of the blind people in Nebraska are not particularly informed as to what good library services are or could be (they have tended to be grateful for what they have and don't look toward any big improvements in the long run). They tend to accept less in their lives all around, because they have not received the best training they could, and they are victims of social prejudice. I know this not only from talking to them, but also from my own personal experience. My expectations of myself are greater than they were and my expectations of a good library are greater than they were at one time. I think our library should provide not only any services that a public library provides for sighted people, but must also be our "magazine rack," "newspaper stand," "research and resource center" etc. It is a big task, I know, but one I see as necessary. The general population of the blind of this state expect the library to be what the Library of Congress expects it to be—mostly a provider of recreational pastime. This comes basically from the notion that many expect that all they can do after all is sit at home and read. Naturally, then, they are not going to be informed enough to question what is really going to happen to our Braille collection; what is really going to happen to consumer input, etc. Many are, just like many sighted people, not particularly avid readers, and thus library concerns never take a high priority in their lives. But for some of us, this is not the case. And many more of us,

when properly trained and informed, would not be satisfied either.

Rodeane, no one was more excited about your coming here than I was. I liked you immediately and saw hope in our library situation. I thought, however, that the powers that be in the Library of Congress might try to restrict you in your positive changes in this library. From your vantage point, you may see this as true. I understand now however, that there really are no strict regulations that bind you so tightly that you do not have the freedom to work towards reasonable improvements. I hope that you aren't going to allow yourself to be overtaken by the attitudes of the Library of Congress to the point that you no longer hear our concerns and stand up with us for what we, as blind consumers, feel.

In case my letter is implying that I am a know-it-all, I hope you understand that I am not. However, the National Federation of the Blind has delved into these library problems all over the country and we have tried with much fervor, to straighten things out. I honestly believe that we who are active in the Federation, do have a better-than-average understanding of the library situations that exist today, and reasonable expectations for improvements. We have seen the positive effect in what good library

services and good consumer representation relating to those services can mean for the future of the blind. I have always thought of you as a reasonable person, and I hope that you will understand what is in this letter, and in some of my letters of the past, and consider them—not just as our Librarian, but as a friend. My concerns are genuine, as I know yours are also, and I have faith in your ability and determination to work with us on improvements in our libraries, for after all, whatever improvements are made here in Nebraska have a positive effect on library services for blind people everywhere—and this is my concern, indeed, *our* concern.

Sincerely,  
Laurie

1. In a subsequent letter Laurie Eckery writes: "Today I received a call from Mrs. Green who intends to meet with some of us to answer questions and give us some explanations from her point of view. She explained to me that the cards which were being thrown away were old card catalog cards which the library no longer uses. She has information on all of the Braille books which have been farmed out across the state. This information is stored on microfiche and could be gotten at."

## BREAKFAST FOR 200

by RITA CHERNOW

*(Editor's Note: After the submission of the following article, Rita Chernow wrote to the Monitor editors as follows: "Mr. Harold Unterberg of the New York State Office of the Advocate for the Disabled passed away subsequent to the writing of this article, and in no way is this article intended to reflect on him personally. Mr. Unterberg worked diligently on behalf of the disabled, and his loss is felt by all of us.")*

January 22, 1980, will long be remembered by the National Federation of the Blind of New York State. On this day, over

200 persons, most of whom were legislators or their representatives, packed the Green Diningroom at the legislative complex in

Albany, New York, to participate in the second Annual Legislative Breakfast sponsored by our state affiliate.

Our Breakfast was highlighted by our legislative presentation with our State president, Sterling France, conveying the goals, objectives and philosophy of the Federation. Mr. France discussed the need for the passage of minimum wage legislation for blind sheltered shop workers stating, "In seeking assurance of a minimum wage, we are not asking for anything new or different. We only want what other workers are getting—a day's work for a day's pay."

Mr. France reminded the legislators that the question of minimum wage for blind workers drew public attention in 1978 with a report from the Comptroller's Office which disclosed that an audit of Industries for the Blind which serves as a sales arm for workshops for the blind in New York State, uncovered \$76,000 spent on cars, parties, gifts and meals while blind workers in the shops were being paid less than the minimum wage. The commissioner of Social Services took steps to correct the abuses in expenditures at Industries for the Blind, but workshops are still permitted to pay blind workers less than the minimum wage.

Mr. France indicated that there were some shops in New York that do pay the minimum wage, but these are mostly smaller ones and pointed out, "If they can pay it—the larger ones can." Mr. France made clear that it would be a grave injustice for the legislature to continue to allow the blind to be exploited as a source of cheap labor.

The NFB of NYS is also urging the passage of legislation which would prohibit discrimination in jury selection and service on the basis of blindness. "It is really astounding that a society which has seen no wrong in admitting blind lawyers to the bar, a society which has permitted Judge

Gilbert Ramirez, himself blind, to sit as a member of the New York State Supreme Court, that that society would see fit to disqualify blind citizens from jury service, solely because they are blind," said Rami Rabby, State Legislative Chairman.

Mr. Rabby explained that three other states—Washington, California and Oregon—have passed legislation prohibiting discrimination against the blind in jury selection. "The blind citizens of New York State would be proud if New York were to become the first state east of the Rockies to adopt such progressive legislation. It is morally reprehensible that the blind should still find themselves excluded from our state's courthouses," stated Mr. Rabby.

To enhance our efforts and gain support for a separate agency for the blind, Mr. Rabby discussed the issue of services to the blind and the problems faced by many blind people today in securing necessary services to achieve their potential.

It was a big day for breakfasts in Albany—the New York State Office of the Advocate for the Disabled, among others, also sponsored a legislative breakfast. When Mr. Harold Unterberg, Director of the New York State Office of the Advocate for the Disabled, learned that our breakfast was scheduled for the same day, he invited all of us to join with him. However, we chose to keep our breakfast separate; for we are not willing to dilute our message with those who wish to speak for us rather than with us. Mr. Unterberg shows where he really is when he states, in part, "While it is understandable for people to feel the need to protect what they have and to advocate for the unique needs of a specific disability, this concern too easily becomes a preoccupation—turf protection—and the potential strength of a unified approach in areas of common interest become fragmented. If we all lumped our needs together, however, we

would soon see that our common needs outnumber our special needs.”

Our feelings and the circumstances surrounding the Unterberg Breakfast are best expressed by our State President, Sterling France, in a letter to Mr. Unterberg.

December 26, 1979

Dear Harold,

I am writing this letter because I am gravely disturbed at your apparent intransigence regarding the conflict in our scheduled breakfasts. You appeared to be quite willing to change your breakfast when I brought the problem to your attention. It appeared that you changed your position after talking with Paul Smith in your Albany office. Both you and Paul told me that the next closest date was six to seven weeks away and for that reason you couldn't change. However, in checking, there is an open date on Wednesday, February 20th.

I did talk with my fellow officers regarding changing our Legislative Breakfast or combining our breakfast with yours. Several interesting comments resulted from those conversations. It was pointed out that it was September and not October, as I first mentioned to you, that I informed you of the date and time of our breakfast. This was during the conversation I had with you when requesting your assistance in helping us to get the Governor to appear at our State Convention. Also, it was pointed out that the legislature would be more convinced of the need for legislation by a particular segment of the population if that segment of the population did their own presentation, rather than a State agency. Your offer to pay for all the breakfasts of persons attending our program was questioned as to its legality, and if it is legal—it certainly is not proper.

You, as Advocate, draft legislation regarding the disabled, to become part of the Governor's overall legislative package. To remove those proposals from the Governor's legislative package would remove the most effective political force that legislation would have—that being the Governor. The Governor would provide more impact than you would presenting it on your own. If the reason for your having the breakfast is not for you to present proposed legislation, then why the need to insist it must be held in January? If your purpose is to bring disabled groups together so that specific or key legislators will have the opportunity to hear from them, then it would appear that a date in February would be as good as a date in January. We, the blind, are not opposed to a joint effort to present legislation. However, as I pointed out to you by phone, that effort should and must be carefully orchestrated.

The problem the disabled face today, particularly in the area of legislation, is that legislators have a tendency to group all disabled together as one, not recognizing their individual specific needs. For example, we talk about insurance. Discrimination in insurance for the blind is different than discrimination in insurance for paraplegics, diabetics, mentally retarded and others; yet, we are all being discriminated against because of a disability.

Our Legislative Breakfast is extremely important to us. On that morning, we will be highlighting two pieces of legislation which will have major impact on the blind of New York State. You mentioned to me that you had one of our Bills in your package of proposals (Jury Bill); yet, when I asked you were you inviting Assemblyman Griffith, your response was, “Who is he?” I only point this out

to show you that amongst all the things you talked about doing at this breakfast, in the limited amount of time you will have to do it, where would our proposals be and how much impact would they have? I think you might say the same thing about proposed legislation which other disabled groups have.

Harold, over the past year, you and I have worked together to improve the image of the Office of the Advocate. Those steps are severely threatened if you continue the course you have taken. By no means is this a threat to you, and I will continue to work with you; however, the blind of the State, and particularly the Federation, see it as a direct and deliberate act to sabotage and undermine their efforts. I sincerely hope that you will consider the grave damage the actions of your office will do to all the disabled of New York State.

Sincerely,

Sterling France, President  
National Federation of  
the Blind of New York  
State

*(Editor's Note: Our California affiliate, the National Federation of the Blind Western Division, is increasingly active and vital. One of its publications is called, JOURNAL—National Federation of the Blind Western Division. This article and the one which follows it are taken from the first issue of the JOURNAL.)*

## NFB PHILOSOPHY—VARIATIONS ON A THEME

by HAZEL TenBROEK

Remarks delivered at the NFB, Western Division Spring Convention 1979

Among some blind people, and among some agency folk, blind and sighted, NFB philosophy is a frequent topic of conversation. Some say it is too narrow and excludes

As it turned out, most of the people at Mr. Unterberg's Breakfast were representatives of agencies for the blind, and few consumers could be counted among them.

We know how the Federation paid for its Legislative Breakfast; we ran a benefit drawing and raised over \$1500. It remains somewhat questionable, however, just how the Legislative Breakfast sponsored by the New York State Office of the Advocate for the Disabled was paid for.

Many of our members around the state worked diligently to assure the success of both the benefit drawing and the legislative breakfast, and we all take pride and pleasure in knowing that our efforts will pave the way for the best legislative year we have ever had.

too many because we have a rule which says that a majority of the blind must hold elective offices at the local, state, and national levels. Some say to the contrary that

it is too broad since we admit people who have some vision and we are, consequently, not an organization "of the blind." Some insist we have gone beyond our original intent because we wander afield when we attempt to speak for the blind who are not our members. There are a few who vigorously contend that NFB philosophy has been "used up," especially since some of our stated goals have been partially achieved and that, consequently, we "must needs get us a group of thinkers to sit them down and think us a more and new philosophy."

To the above, one can say that though each has tried to develop a variation on the NFB philosophic theme, each has failed because there has been a lack of understanding of the National Federation of the Blind and/or of the meaning of philosophy.

What is philosophy, anyway? In pertinent part, Webster's *New International Dictionary* says that philosophy is "a system of motivating beliefs, concepts, and principles." The Random House *Dictionary of the English Language* says that philosophy is "a system of principles for guidance in practical affairs." "A system of principles for guidance in practical affairs", or "a system of motivating beliefs, concepts, and principles." Either will serve us. Let us see how Federation philosophy measures up.

Dr. Newel Perry drilled many things into the minds and hearts of those young blind people who had the good fortune to come under his tutelage. Included was one fundamental belief which feeds the root and gives strength to all that is the National Federation of the Blind: That is that, yes, we are our brother's keeper. What happens to one blind person affects all.

The National Federation of the Blind is an organization of the blind; and that has been sufficient unto the years in supplying problems to solve. We may be interested in the problems of others who suffer minority

status; we may show compassion and lend support to their endeavors, but as an organization of the blind, we must apply our limited time, personnel, and funds to the problems of blindness. The members who comprise the strength of the NFB are of all the shades of man which people the earth, for blindness draws no color line, neither does it know talent, nor economic position, nor political status. As individuals active in their own spheres outside the NFB, blind people may espouse what causes strike their fancy or their interests, but within the NFB all effort must be confined to the cause of the blind; that is where our chief responsibility lies.

The National Federation of the Blind believes in the essential normality of blind people; that with proper training the blind can enter the professions and common callings of the land; that the blind can take an active part in the life of their communities as persons having something to offer to improve the quality of life for all.

The National Federation of the Blind believes that the United States Constitution and other governing laws of the country grant rights and privileges to the disabled as well as to others.

The National Federation of the Blind believes that in union there is strength and that our fundamental beliefs can become reality only with joint action. As Jacobus tenBroek said in his earliest journal release: "Collectively, we are the masters of our own future, and the successful guardian of our own interests. Let one speak in the name of many who are prepared to act in his support. Let the democratically elected blind representative of the blind act as spokesman for all. Let the machinery be created to unify the action and concentrate the energies of the blind as a nation, and the inherent justice of our cause and the good will of the public will do the rest."

The poet John Keats said in 1818: "Axioms in philosophy are not axioms until they are proved upon our pulses, we read fine things but never feel them to the full until we have gone the same steps as the author." The blind have walked those steps together, for the NFB was formed of the bitter experience of blind men and women in their struggle to achieve economic independence and personal dignity. It was early said that "equality, security, and opportunity are our goals. United action and singleness of purpose are our strength. What the blind gain they will gain for themselves."

"A system of principles for guidance in practical affairs." "A system of motivating beliefs, concepts, and principles." It is clear that we meet the challenge of the definitions.

So much for the principles. What are the goals toward which these motivating beliefs, concepts, and principles guide and impel us? They have been stated many times but were said particularly well for our purposes by Jacobus tenBroek in November 1951: "The principles on which the National Federation of the Blind are founded reflect a positive determination to finish the process that has been begun and to effect a complete transformation of the social role of the blind from helpless, pauperized, and segregated wards held in social custody to full and equal membership in society as first-class citizens. Perhaps the first goal on our list is the goal of *Understanding*, which, in negative terms, means nothing less than the total eradication of the ancient stereotype of the 'helpless blind man' that age-old equation of disability with inability which remains today, as ever, the real affliction of blindness. Second, and closely dependent upon the first, is the assertion of our *Normality*, the elementary truth that the blind are ordinary people, and more

exactly that they are *persons*, unique individuals each with his own particular as well as his general human needs. Third among our objectives is *Security*, representing a normal human striving which is only accentuated—not transformed—by the facts of blindness, and to which the programs of public assistance (SSI-SSP) are especially addressed. But security remains a static and even a stultifying concept without the further element of *Opportunity*, which is the fourth of our objectives; opportunity to participate and to develop, to become useful citizens. Fifth in line (but not in importance) is the goal of *Equality*, which is both a precedent and a product of all the rest: equality which flows from the sense of belonging, from the frank acceptance of the community, and which entails equal treatment under the law, equal opportunity to employment, and equal rights within society. Sixth is the objective of *Education*: education of the blind in terms of social adjustment and vocational rehabilitation, and education of the sighted—parents, teachers, employers, and the community—in terms of the several goals already mentioned. Seventh and last is the platform of adequate *Legislation*: permanent safeguards based on rational and systematic evaluation of our needs and erasing once and for all the restrictive barriers of legal discrimination and institutionalized ignorance."

These goals are, of course, a general summation of the kind of detailed programs to which we are committed in each relevant area of public service and organizational activity. We try to advance the welfare of the blind on the assistance front, on the rehabilitation front, on the education front, on the employment front, and on the front dedicated to eliminating all discriminations. On every level the accent varies, but when all parts work together in harmony under skilled direction, they ex-

press the underlying theme of integration—social, psychological, and economic. The dominant note that emerges is one of hope, for if it is true that we are a long way still from equal partnership with the sighted in the continuing experiment of democracy, it is also true that by contrast with our status forty years ago, we are a long way toward it.

This progress toward our goals is to the credit of each and every member of the National Federation of the Blind for it has taken our joint efforts to come down the road at all.

Breaking the barriers of existing stereotypes became the first order of business for the newly formed NFB. The idea that the blind were, as a group, capable of only the simplest of repetitive tasks was firmly entrenched not only among the sighted, but was believed by the majority of blind persons. It was a barrier to freedom at every turn and in every program from blind aid to admission to the professions. Every step meant educating the blind as well as the sighted. Such dual education is still a part of our programs today, though due to NFB efforts, a gradually less important one.

Supplying the financial security as a base for independence at the beginning was a priority for all but a few. The NFB took the lead in improving the amount and in liberalizing the conditions under which aid to the blind was and is granted—a continuing process. In 1946, the NFB was successful in eliminating state matching so that the Federal Government could make increases in the grant even when the state did not wish to do so. In 1950 came the exempt earnings clause vetoed by President Truman in 1948. Along with that clause came the requirement that aid be paid promptly to those eligible. That was a great year. The blind got aid as a right as well as the right to accept a little and keep a little—the first

step toward independence. In the early 1960's one enduring assault by the California affiliate ended in victory when responsibility of relatives for the support of their impecunious family members lost its mandate—at least in programs for the blind. But the greatest barrier to improving one's condition was demolished in 1969, after an effort that lasted for thirty-five years. In that year, durational residence was eliminated by the United States Supreme Court.

The effort to improve aid continues. The problems did not cease with the advent of federal administration. While the blind have more security, and more blind—and the other disabled—have it, the number of appeals backlogged in SSI indicates that the goal is not yet completely in our grasp. That tenet of security is not yet “used up”—if ever it can be.

For the blind and other disabled persons in the productive years of life, vocational rehabilitation is the essential and overriding need. The NFB entered the fight for rehabilitation with full vigor in the early 1940's when it assisted in the passage of the Barden-LaFollette Act. That measure expanded and made available to the blind rehabilitation programs and facilities. The NFB has sponsored and aided others in a continuing barrage of enactments and changes in the rehabilitation program. Sometimes we have had to vigorously oppose the efforts of others to change the character and ultimate goals of those programs both federal and state. Sometimes we have been successful in preserving the separate life of an agency and sometimes we have failed. But the failures have not persuaded us to cease our efforts to bring positive programs into the rehabilitation process.

We have of late years achieved some real advancements in the vending stand program. It has been a long struggle to free the blind in many states from the custodial

clutches of the supervising agencies and to establish the blind as independent business people as the Congress intended. We have, as you know, had to take our case the long way around through the courts, and the NFB is still at that, too. But we are gaining. The problems of enforcement of regulations already enacted and the encroachment of other groups keep complete victory in this arena at a distance.

That most demeaning of all programs for the blind—the sheltered shop—has been one of the largest stumbling blocks to independence ever invented by an overprotective if well-intentioned society. In the sheltered shop the blind have been stashed conveniently out of sight for many years—an equivalent for the blind of the nursing home for the aged. There they are given work considered to be within their capacities, paid a pittance though they labor long and hard without benefit of provisions for their health, vacations, or improved working conditions those doing like work outside the shops have long since gained through collective bargaining. The argument about whether the blind in the shops are workers, clients, or wards has yet to be decided in many states. In 1958, a few of the blind salesmen in Dallas, Texas, struck the Lighthouse but came to a sad end when the rest of the workers were afraid to lend their support. In 1960, the workers in the Cleveland shop struck for higher wages and after an eight-day strike succeeded, with the aid of local groups in organized labor, in gaining improvements. The formation of a bargaining group at the San Diego shop in 1960 looked good, but it came to an inconclusive end because many of the workers were not blind and did not lend support. That case did get to the NLRB which decided that the shop was a rehabilitation facility rather than a place of employment and so would not accept juris-

diction. A promising strike by blind workers in St. Louis in 1962 brought a disappointing decision from the NLRB. It concluded that the shopworkers were employees—but employees without rights. The most successful strike was that of the Berkeley CIB workshop in 1963. It was supported by almost all the workers and by the AFL-CIO State Employees Union, to say nothing of the National Federation of the Blind, since many of the strikers were members of the organized blind movement. It was a short strike—two days. The workers suffered no reprisals, lost no pay, had their demands met, and were assured of reasonable hearing through collective bargaining. The strikes and losses and gains of the 1970's are familiar to all readers of the *Monitor*. But too many workers in the shops are still exploited by their benefactors who line their pockets with the income which rightly belongs to the workers. One has only to refer to the two articles in February 1979 issues of the *Wall Street Journal*, reprinted in the *Monitor* for March. Progress has been made, but the sheltered shop worker is still too “sheltered” from his right to full participation in society.

By 1950 the NFB was in the courts in what proved a successful effort to open the federal Civil Service to the blind. A number of positions were immediately available and were filled by qualified blind people. Almost every job in the state or in the federal service which opened or opens a new field to the blind has meant an administrative action or a court case. And it has been the National Federation of the Blind which has carried this load almost single-handed. And you—the members—have done it.

In the field of education, the history is the same. Whether a blind person should be allowed into the education curriculum, or, as a qualified graduate, allowed to earn

a graduate degree or a teaching credential, or to obtain a job in a chosen field, are all areas in which the NFB—you—have had to make your weight felt. Many qualified blind people have been and are still denied entrance to graduate studies solely on the ground of blindness despite state and federal laws prohibiting such action.

We have yet to achieve solid equality. While some courts have granted that the blind are entitled to due process, the question of the right to equal protection of the laws has yet to be settled.

Though the National Federation of the Blind protested mightily, and though HEW did make some of the changes the organized blind desired, the Regulations issued under those notorious sections of the Rehabilitation Act of 1973 have put the advent of equality farther into the distance than might otherwise have been the case. Equal protection for the blind, disabled, and women, is now under the shelter of HEW's Office of Civil Rights. It is not in the Civil Rights Division of the Department of Justice where the rest of the citizens of this nation look for the protection and enforcement of their rights. Why? Because federal administrators and staff came to their work burdened by all the age-old stereotypes of the blind. This is fully exhibited in the introduction to the Regulations for Section 504 in the *Federal Register*: "This section breaks new legislative ground in that it is the first major statutory civil rights enactment that protects the rights of handicapped persons. The language of section 504 is almost identical to the non-discrimination provisions of section 601 of title VI of the Civil Rights Act of 1964 and section 901 of title IX of the Education Amendments of 1972 and, like those statutes, establishes a governmentwide policy against discrimination in federally assisted programs and

activities—in this case, on the basis of handicap.

"Section 504, however, differs conceptually from both Titles VI and IX. The premise of both Title VI and Title IX is that there are no inherent differences or inequalities between the general public and the persons protected by these statutes and, therefore, there should be no differential treatment in the administration of Federal programs. The concept of Section 504, on the other hand, is far more complex. Handicapped persons may require different treatment in order to be afforded equal access to federally assisted programs and activities, and identical treatment may, in fact, constitute discrimination. The problem of establishing general rules as to when different treatment is prohibited or required is compounded by the diversity of existing handicaps and the differing degree to which the particular persons may be affected. Thus, under Section 504, questions arise as to when different treatment of handicapped persons should be considered improper and when it should be required."

The handicapped are so different that they cannot be considered to be eligible to the protections and rights the able bodied take for granted. If one is born disabled, or becomes disabled at any time, even though his parents are citizens, and even though the disabled person is born a citizen, that person at the moment of disablement becomes a "native American alien." He or she is no longer entitled to the rights and privileges or the responsibilities of first-class citizenship. The disabled person is entitled to education—special education. The person is entitled to a job—in a sheltered shop, under CETA, or in Schedule A of the Civil Service. The blind and other handicapped must now sue for their rights as citizens. If we can get S 446 passed, another long step will have been taken

toward first-class citizenship. But the blind declared their "right to live in the world" as first class citizens when the first "white cane law" was adopted in 1967.

The National Federation of the Blind, we have long said, is not an organization speaking for the blind, it is the blind speaking for themselves. That right, too, had to be fought for. It was won despite the efforts of agencies and organizations for the blind to keep that function solely to themselves. It was won despite the lack of understanding and general apathy on the part of the public. This is an organization of the blind speaking for themselves—it is the members of the local chapter talking to the local officials, of the state affiliate speaking to the state administration and the legislature, and all gathered together at the national level speaking for all to the national administration and to the Congress. When a national officer speaks, he or she speaks for you. The National Federation of the Blind is not separate from its members—it is its members. The local and state organizations are *not* separate from the national—it is the sum total. Despite some recent efforts, as the southern states discovered in the 1860's, you cannot secede without suffering the usual consequences.

This is not an organization for fair-weather Federationists. If you believe in what we are doing, then you should have the commitment to stand up and be counted when the organization is in trouble and the going gets rough. One of the reasons for our problems now, as was pointed out this morning, is that too many of our members join to join, not because they understand. Then there are those people who are takers, not givers. What is the organization going to do for me? they ask. They are the ones who call the organization for assistance when they are in trouble whether it is about their aid grants or getting a job. They

expect instant action and frequently get it. You—the members of the NFB—spend hard won funds helping these people, and we will probably go right on doing it. These people make demands on our time, insist on our assistance, take our scholarships as their right. But let the organization be attacked in any way either individually or collectively, and these takers fade away or may be found among our critics. No, the National Federation of the Blind will not throw them out if they are still with us but as shadows. But the real foundation of our movement and the credit for its achievement goes to those who year in and year out are committed to the NFB philosophy and its goals.

We have made progress toward our main goal—complete integration into society. But have we "used up" our philosophy? Let's put that one to rest. Shades of Plato, Pythagoras, Socrates, Aristotle, Marcus Aurelius, Voltaire, Hobbes, Rousseau, Spinoza and a host of others through the ages. Philosophy and philosophers may be forgotten, lost or ignored. If they are newly interpreted, the originals are violated and are, therefore, different and no longer the same.

Our philosophy lays down the tenets which guide our actions and clearly sets forth the methods by which to achieve our goals. We do not need a new philosophy or new philosophers. What we need are sincere practitioners—those who believe in the basic tenets of our organization, who understand the need to work together, to speak as one voice in unity, understanding and love.

If we remain true to what we believe in the National Federation of the Blind we cannot be destroyed from without or within. We may be brought low but there will remain a group to gather up the pieces and, like the phoenix, the NFB will rise again.

Equality, Security, and Opportunity are our goals. United action and singleness of purpose are our strength. What the blind gain, they will gain for themselves. As we

are responsible for each other so we are accountable. We are each and all, separately and collectively, our brother's keeper.

## TRAVEL TRAINING—THE PHILOSOPHICAL FOUNDATIONS OF EFFECTIVE ORIENTATION AND MOBILITY PROGRAMS

by FRED SCHROEDER,

Mobility Instructor, Services for the Blind,  
Lincoln, Nebraska

*My approach and my views on teaching travel, and the view of the agency for which I work, based on NFB philosophy, are different from other agencies. For this reason the words "philosophical foundations" are included in the topic.*

The orientation and mobility profession has created programs which include techniques for teaching travel training but with a philosophical basis, which I believe, does not instill confidence in the blind person.

I'll start with the length of the cane as it relates to efficient travel. It is typical in the orientation and mobility profession to have the cane reach from the floor to approximately the center of the sternum of the user. They say that a blind person does not need a cane any longer than this to travel efficiently. They say if one needs a longer cane one is somehow traveling inefficiently. We must consider what the profession's concept of efficient travel is. Their concept of efficient travel sometimes causes one to have to skid to a stop when one comes to a curb as he can't stop gracefully because he is using too short a cane. That's not my concept of efficient travel.

Their concept of efficient travel at times causes one to lose time when one has to stop and search for a way around a pole because one's cane is too short. This is not my idea of efficient travel.

The National Federation of the Blind generally recommends longer canes. The

Iowa Commission for the Blind, the Blind Industries and Services of Maryland and a number of other facilities also subscribe to this concept of using a longer cane. The orientation and mobility profession decided that their prior way of measuring cane length was too simple. Now, a new, complex system using highly technical methods is being used. Some of the methods include: measuring length of stride; measuring from the elbow to the ground; determining speed of the traveler; taking into account weather conditions; and type of footwear worn by the user, etcetera. But the interesting point is that the profession ends up with the same length cane it has always endorsed. One wonders about the validity of the profession's research.

My belief and the belief of my agency is that a blind person, properly trained, has no reason to move more slowly, or have to take extra time, or limit his own mobility because of his blindness. If it is the blind person's nature to walk quickly, then he needs a longer cane. If it is the blind person's nature to walk more slowly, then perhaps a medium length cane would be fine. The orientation and mobility profession

does not say that a blind person cannot run while using a cane. However, the profession discourages any quick movements. The orientation and mobility profession insists on training into blind persons a fear of moving quickly, a fear of trusting their own senses, particularly while running. I think this is a limitation we should not tolerate. As a matter of fact the profession does not encourage a blind person's running alone. However, the professionals do endorse an instrument called the Freedom Leader promoted by a company in California. It is basically a pole with a shock absorber. It is affixed to the belt of the sighted person who will be leading and on the other end to the blind runner's belt. If the sighted person stops quickly, the shock absorber absorbs the impact of any change in movement.

I found an article which describes jogging Hoover style that appeared in the "Braille Forum." It started from the premise that a blind person cannot run independently. The point was never questioned but taken for granted. The article based itself on whether it is better to run side by side or use the Hoover technique, whereby the sighted person leading would hold one end of the blind person's cane and the blind person would then follow, holding the other end.

The latest concept in the profession is what they call the "easy way." This is a method of teaching the blind only the most basic skills he will need on a daily basis. In the profession they say that training a blind person on mobility routes of 15-30 blocks on a daily basis is unrealistic, for blind people cannot walk that far. Therefore, a typical mobility route at one of the orientation and mobility centers dominated by the professionals might be 3 or 4 blocks, just sufficient to teach people the way to the grocery store. I visited one of these regres-

sive centers earlier this year. A blind woman who had almost completed the training was, for the third time that week, going to locate the garbage cans behind her apartment building. This is a classic example of lack of expectations.

The ACB is endorsing a system of bird calls on street signals. Their attitude is that a blind person cannot possibly know if a signal is green or red. We of the NFB believe that if the traffic is moving parallel to us, the light is likely to be green and if the traffic is moving in front of us, the light is probably red. If there is no traffic, obviously one can cross in any direction. Any blind person who thinks that a bird call is going to assist him across a heavily travelled intersection safely will not be with us too long.

We must always be aware that sighted people might not see us. Therefore, we must be alert at all times. If a driver runs a red light, I would prefer to trust my own judgement rather than to trust my fate to the green light or a bird call.

In another of these regressive orientation centers, a woman was just beginning bus travel. The bus typically let her off on the southeast corner. One day, however, it went through the intersection and let her off on the southwest corner. Normally when a blind person gets off a bus and expects the traffic to be ahead of the bus and it is behind, he can make some inferences as to what might have happened. Instead, this woman was disoriented. Finally her omnipotent mobility instructor had to rescue her. Together with the director of the agency, they wrote a letter of complaint to the bus company. A bus company receiving a letter from an agency allegedly training blind persons in which there are complaints concerning a bus not stopping at the proper corner will have all

the old custodial attitudes about the blind reinforced.

I think we must talk a lot about expectations, personal as well as professional. We also must decide how many of these "second class" attitudes we are going to tolerate.

It is felt by many orientation and mobility instructors that blind people cannot guarantee their own safety. They justify this by saying that they are not talking about the well-trained blind person but the untrained. One can imagine a newly blinded person having all his fears about blindness reinforced by his instructors. What is the likelihood that this newly blinded person would venture out on a Saturday afternoon for lunch or to do some shopping without his mobility instructor at hand? Where is the building of personal confidence? How would one feel if he were always used to having an instructor at his side?

At one of these regressive centers, students are not allowed to leave the grounds without a mobility clearance. This tells the blind person that he cannot travel safely abroad if he does not have his clearance. The profession has come up with a book which is published by the *AFB*, "Orientation and Mobility Techniques—a Guide for the Practitioner." It has a forward by Eugene Apple. He says that this book is an archive of knowledge and information accumulated over the past 30 years. This book is not to be used by any untrained individuals, but is a guide only for the trained orientation and mobility specialist. In this book there is a description of a 10 step method of sitting down in a chair. To give you an idea of how to sit down in a chair, I paraphrase from the book. (1) Walk up to object suspected to be a chair. (2) Legs of blind person make contact with front of chair. (3) Put arm in front of face. (4) Bend over. Arm is to protect face against protruding objects. (5) With other arm,

make sweeping motion to make sure nothing is on the chair. (6) Return to a standing position. (7) Turn so back of legs are on the chair. (8) . . . The book states that blind persons should not travel in inclement weather. However, if there is no alternative, the instructor should make sure that the blind person is appropriately dressed.

Where I work, we never tell blind persons that there are things they cannot do. We might say that we have never heard of a blind person doing such and such a thing but that is different.

Just about every time I am convinced a blind person could not do something, some foolish blind person does that very thing. A few years back I was one who thought a blind person could not be a medical doctor. Well, we now have several and I was proven incorrect again. When I go out as a mobility instructor, I first teach a student how to use the cane in a safe way. My role as a teacher is almost nil. I am mainly a resource. Each blind person has to develop for himself the most efficient way to travel. I am there to offer suggestions but the skills of travel are best learned through practice. I do not tell students they have to do things in a certain way. A person has to work out a system in which he has confidence; then the blind person will get out and travel by himself.

I have a student who walked 40 blocks one day last week in an hour and ten minutes. Next week I will plot a 60 block walk for him. The other day an orientation and mobility professional from out of state told me that my methods of teaching were not realistic. He asked me when was the last time I heard of a sighted person walking 60 blocks unless he was forced to? I said if a sighted person's car broke down and he had to walk he could. I do not want any of my students to leave my class afraid to travel anywhere. The student trained at the

regressive center who only knew the four blocks to the grocery store would probably fear venturing any further. My students go out alone for the most part. If there is something in particular I would like to point out or show a student I meet him at that particular point. If a student comes across an unusual or difficult situation I train him to work it out for himself and later to come back to me and report his solution. I think the center in which I am employed has an effective program, for students leave with a great deal of confidence. If a student has practiced walking 60 blocks at a stretch, the 4 blocks to the post office or the grocery store will then be in their proper perspectives. Of course, not every student walks 60 blocks. Also, when my students leave the program they have no fear of moving freely in a new environment, for many new environments have already presented themselves. This philosophy is found throughout all aspects of the center's program.

Believe it or not we have come under quite a bit of attack. Recently, for example, two elderly blind ladies told us that we were teaching blind people to be rude, hostile, and defensive. They said that because of our program they could no longer get the kind of assistance that they felt they needed from the public. One of their examples was that of a blind person waiting to cross the street with the stop signal and he thought it was green but he couldn't be sure because he is blind. If a sighted person offered to help one should accept because it might be that sighted person's good deed for the day. I have trouble with the attitudes of

those ladies for if I offered my time to someone but he really does not want it, but takes it to please me, I would feel cheated. Also, blind people should become aggressive about their abilities and let the public know that they can manage and that they can do things competently. This is the only way we can gain total integration into society. Any sighted person who feels that a blind person cannot go up a flight of stairs, across a street, or get on a bus without help, has no faith in that blind person and probably would never have confidence enough to offer that same person a job.

The other day one of my students, a rather small woman, walked toward some obstructions on a sidewalk. Before she reached these, a very large man ran up to her, picked her up, and carried her across before she had a chance to protest. Also there are the times when people insist upon taking a blind person to a place whether he wishes to go there or not. Like the sighted, if the blind need help, they can ask.

We the blind have to educate the public to the fact that we are like other people. We can go where we wish and do what we desire. Perhaps our two biggest problems are the fearful, untrained blind who have not learned to live in the world alongside their sighted fellows and the "experts" in the field of work for the blind, for they fear that if the blind are no longer their wards, they will be in the unemployment lines. Despite all the odds we have made great progress and it is this progress that is leading us to lives of independence, lives of independence that we seek for all the blind.

## RECIPE OF THE MONTH

by DIANE CORSON

### CRAB BISQUE

#### Ingredients

|                                      |                                   |
|--------------------------------------|-----------------------------------|
| 1 ½ cans cream of tomato soup        | 1/3 cup dry sherry                |
| 1 ½ cans split pea soup              | 1 lb. (or two 7-ounce cans) crab- |
| 2 ½ pints heavy cream                | meat                              |
| Freshly ground black pepper to taste |                                   |

Combine all ingredients, add the cream last, and heat to serving temperature. Do not let the soup boil. This is a marvelous, rich soup and the recipe fills six generous bowls or makes twelve appetizer servings.

## MONITOR MINIATURES

■ Sharon Gold writes:

The JOURNAL OF THE NATIONAL FEDERATION OF THE BLIND, WESTERN DIVISION (a biannual publication), is available to readers on two C-90 cassettes either by purchase of the recorded cassettes at \$5.00 per year or on loan. A \$3.00 cassette deposit fee is required for those wishing to subscribe to the JOURNAL on loan.

Also available to readers on cassette loan is THE NFB SPOKESMAN IN CALIFORNIA. The SPOKESMAN is being made available on one C-60 cassette. Two numbered cassettes will be issued to each reader. These cassettes will be used on alternate issues of the SPOKESMAN so as to allow adequate mailing and reading time between reuse of the tape, thereby preventing missed issues.

Readers wishing to subscribe either to the

JOURNAL and/or the SPOKESMAN on cassette or wishing to make a donation for the print subscription to the JOURNAL and/or the SPOKESMAN may do so by using the following form:

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Mail to NFB Western Division, P. O. Box 1522, Lancaster, CA 93534.

From President Jernigan:

John Duffy, 724 Wood Street, Fort Collins, Colorado 80521, is an active member of the Federation. He is also a talented artist in the fashioning of woods. Particularly, he makes bolo ties with wooden pendants, usually serving as a mounting for the NFB logo.

During the March on Washington this spring, John and his wife Dorothy visited the National Center for the Blind here in Baltimore. At that time he gave me a bolo tie with a wooden clasp made of Bristlecone Pine. This pine grows at a height of eight to ten thousand feet above sea level, and John tells me that the piece he gave me is something like 500 years old. In fact, he says that there is good evidence that the Bristlecone Pine is even older than the Redwood.

John is a loyal Federationist and an interesting man. His work exemplifies the fact that our members have interesting and diverse talents and are engaged in almost every type of activity.

From Darryl Breffe:

"I hereby certify that I am conducting or transacting business under the name or designation of Braille Writer Pep Service at 189 Baldwin Road, Hempstead, New York. My full name is Darryl Wayne Josepy Breffe and I reside at 31 Dakota Place, Hempstead, New York 11550."

Emil Fries has written a book entitled *But You Can Feel It*, copyright 1980, published by Binford and Mort, 2536 S.E. Eleventh, Portland, Oregon 97202. Mr. Fries writes of his book:

"It is the story of my life—boyhood on a large stock ranch, years out of school because of poor vision, my experiences at the Washington State School for the Blind and "tuning" my entire way through

the University of Washington. It tells of my teaching at the State School, establishing the Emil Fries Piano Hospital and Training Center and of attracting students from thirty-nine states and three foreign countries. The book gives a number of case histories that show results of teaching and of counseling the blind. The book interests the lay reader and will, I am sure, have valuable suggestions for teachers and counselors of the blind."

From Dave Walker of New York:

Here is a toast, which you might enjoy. It hits home in our struggle for equality. "Here is champaign to our real friends—and a real pain to our sham friends."

From Ray Kurzweil:

Dear Dr. Jernigan:

As you are probably aware, I was recently selected by the Association for Computing Machinery (ACM) as the "Outstanding Young Computer Scientist in the United States." I would like to contribute the award's stipend of \$1,000 to the NFB.

Again, it has been a great pleasure working with you and the Federation over the past five years.

Sincerely,  
Raymond Kurzweil

Mrs. Marie Matava, who has served as head of the Massachusetts Commission for the Blind for the past several years, resigned effective March 10, 1980, to accept the position of Deputy Commissioner of Social Services for the state. At the time of this writing we do not know who will succeed Mrs. Matava as head of the Massachusetts Commission.

On April 22, 1980, T. V. Cranmer, who is the Director of the Division of Technical

Services of Kentucky's Bureau for the Blind, delivered the Bernard Kutner Lecture at Boston University. This was also the occasion for the presentation by the University to Dr. Cranmer of the 1979 N. Neal Pike Prize for Service to the Handicapped. N. Neal Pike, a graduate of the Boston University Law School who has been blind since childhood, established the prize in 1977. It is awarded annually by the University to someone who has achieved distinction despite a physical handicap, or to an individual who has greatly helped the handicapped.

The News Release from Boston University stated: "Cranmer has been totally blind since the age of five. He is a self-taught scientist who has become a highly regarded expert in the field of computer science, and whose inventions have significantly facilitated daily life for the blind." As Federationists know, Tim Cranmer is a long-time and respected leader of the movement. He is a man of dedication and great good sense. The honor is richly deserved, and we all salute and congratulate Dr. Cranmer.

■ Kenneth Kerr, Treasurer of our Roswell, New Mexico, Chapter (address: 1412 W. Hendricks Street, Roswell, New Mexico 88201) writes:

"Some friends of mine are trying to locate their Son-in-Law's Father whose name is Thomas Edward Comer. His Son and Wife have not heard from Mr. Comer for twenty years and at that time, since he was losing his sight, they thought he was going to either teach in the school for the blind or work at one of the sheltered workshops for the blind in California. At the time he was losing his vision he lived near Los Angeles."

■ From Marj Schneider, 1615 S. 4th St., Apt. 2506, Minneapolis, Minnesota 55454:

"At the convention this year we plan to provide child care services during the convention sessions, and possibly evenings as well. It would be helpful for us if parents who plan to attend the national convention, with their children, let us know the ages of their children, how many they have, and if child care can be provided during the evenings, what would be the best times for it to be provided. This information can be sent to my address." After arrival at the convention, those who are interested in information about child care during their stay in Minneapolis should contact the Minnesota suite at the Leamington.

■ From Joe Phillips, Erie County, Pennsylvania:

WHEREAS, There are many well qualified blind individuals residing in the County of Erie who can and wish to take their share of responsibility among the work force; and

WHEREAS, It is becoming the policy of this County to assist blind persons to obtain employment appropriate to their abilities and qualifications; and

WHEREAS, The biggest problem faced by the blind today is the lack of opportunity to become successful and earn a living; and

WHEREAS, Opportunities for employment of the blind do exist within Erie County;

NOW, THEREFORE, BE IT RESOLVED by the County Council of the County of Erie, that the Personnel Department of the County of Erie shall, upon posting of any job vacancy, forward a copy of such posted notice to the following:

Job Opportunities for the Blind  
1800 Johnson Street  
Baltimore, Maryland 21230

Erie Center for the Blind  
2402 Cherry Street  
Erie, Pennsylvania 16502

On motion of Mr. Hill, seconded by Mr. Murphy this Resolution is hereby passed at a regular meeting of the Erie County Council held on April 15, 1980, by a unanimous vote.

ATTEST:  
Thomas P. Becht  
County Clerk  
dated: 4/16/80

APPROVED BY:  
Russell D. Robison  
County Executive  
dated: 4/17/80

From Michael Campione of New Jersey:

I am a member of NFB for some years but of the N.J. chapter 'in absentia' because the meetings are far from where I live, in North Jersey.

The *Braille Monitor* is the only tangible communication between me and the NFB on the National level and I appreciate the

information it contains, because it is not found anywhere else.

The constant *Braille Monitor* request for 'Bequest' of certain sum or sums of money or property, has disturbed me. If the NFB is to wait until members die to receive funds greater than current donations, I think the NFB is in trouble financially.

I wish to make a suggestion that a member should donate or make their 'bequest' WHILE THEY ARE STILL ALIVE AND NOW.

I feel sure that if each member contributed \$100.00 NOW, it would help the NFB to meet its many financial obligations and services and even expand its efforts in education.

To support my "Living Bequest" idea, enclosed is my check for \$100.00 to start this plan rolling.

Take care and GOD Bless you all.

Sincerely,  
Michael J. Campione



